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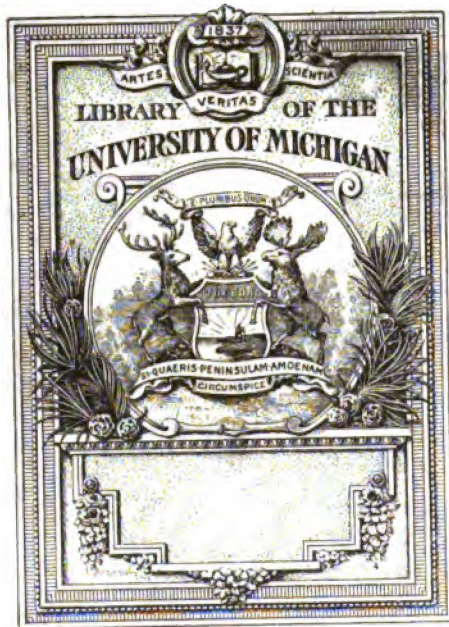
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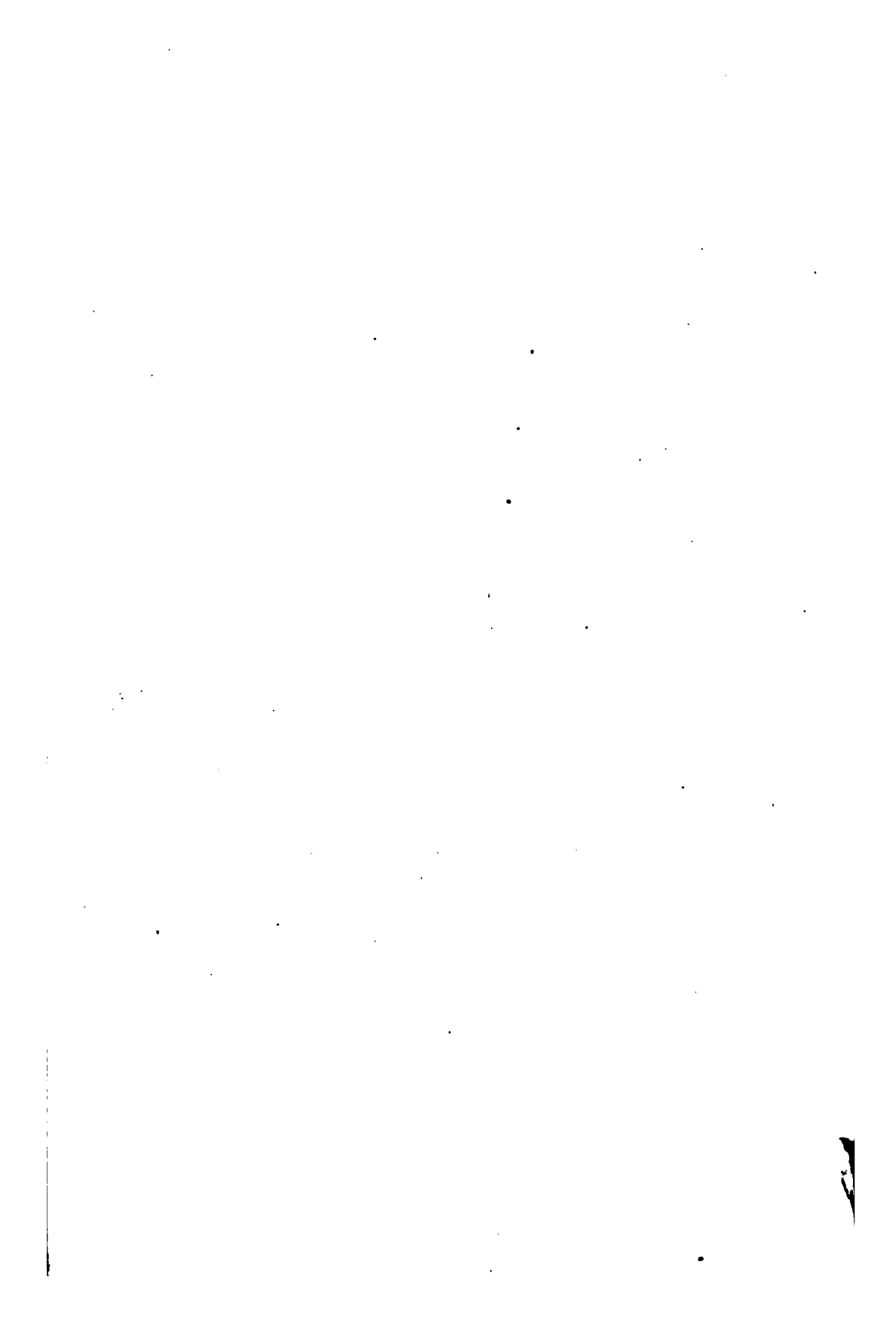




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JOURNAL  
OF THE  
INDIANA STATE SENATE

DURING THE  
Fifty-ninth Session

OF THE  
GENERAL ASSEMBLY,

COMMENCING

Thursday, January 10, 1895.

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REGULAR SESSION.

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INDIANAPOLIS:  
WM. B. SURFORD, CONTRACTOR FOR STATE PRINTING AND BINDING.  
1895.



# JOURNAL

OF THE

## STATE SENATE OF INDIANA.

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THURSDAY MORNING.

JANUARY 10, 1895.

This being the day prescribed by the Constitution of the State of Indiana (Art. IV, Sec. 9) for the meeting of the General Assembly, Senators holding over and Senators-elect met in the city of Indianapolis, Senate Chamber, in the State capitol building, at 10 o'clock A. M.

Lieutenant-Governor Mortimer Nye, President of the Senate, called the Senate to order.

After which the Senate was led in prayer by Rev. Dr. C. N. Sims, pastor of the Meridian Street M. E. Church, of Indianapolis.

Twenty-four Senators elected in 1892 for the constitutional term of four years appeared and answered to their names as follows, Auditor of State John Oscar Henderson calling the roll of Senators:

From Grant and Madison, Oscar A. Baker.

From Clark, Jennings and Scott, Willis L. Barnes.

From Whitley and Allen, Oehmig Bird.

From Pulaski, White and Carroll, James M. Beck.

From Warren and Fountain, Fred. Boord.

From Boone and Hamilton, Thomas E. Boyd.  
 From Delaware and Randolph, Ozro N. Cranor.  
 From Laporte, Jonathan W. Crumpacker.  
 From Clinton and Tipton, George H. Gifford.  
 From Marion, John W. Kern.  
 From Washington and Floyd, Isaac P. Leyden.  
 From Lagrange and Steuben, Silas B. McManus.  
 From Vanderburgh, Andrew J. McCutchan.  
 From Noble and Dekalb, James E. McDonald.  
 From Marion, James F. McHugh.  
 From Clay and Owen, Samuel R. McKelvey.  
 From Vigo, William E. McLean.  
 From Henry and Fayette, Leonidas P. Newby.  
 From Marshall and Fulton, Samuel Parker.  
 From Putnam and Montgomery, James M. Seller.  
 From Marion, Romus F. Stuart.  
 From Kosciusko and Wabash, John D. Thayer.  
 From Marion and Hendricks, Albert W. Wishard.  
 From Shelby and Decatur, Albert F. Wray.  
 Senator from Elkhart, Alonzo W. Vail, being absent.

Twenty-five Senators, elected last November, came forward as their districts were called, and standing in front of the Secretary's desk took the oath of office as administered by the Hon. James McCabe, Judge of the Supreme Court of the State of Indiana, in the following order:

From Ripley, Franklin and Union, Francis M. Alexander.  
 From Knox and Pike, William J. Bethell.  
 From Gibson and Posey, Virgil P. Bozeman.  
 From Cass, Marcus W. Collett.  
 From Bartholomew, Brown and Monroe, Henry C. Duncan.  
 From Allen, Thomas E. Ellison.  
 From Lake and Porter, William H. Gostlin.



From Tippecanoe, William S. Haggard.  
 From St. Joseph and Starke, Christian Holler.  
 From Daviess and Martin, Hileary Q. Houghton.  
 From Green and Sullivan, Andrew Humphreys.  
 From Dearborn, Ohio and Switzerland, Columbus Johnston.  
 From Parke and Vermillion, William F. Kerns.  
 From Adams, Jay and Blackford, Jessie J. M. LaFollette.  
 From Morgan and Johnson, William E. McCord.  
 From Hancock and Rush, Thomas K. Mull.  
 From Howard and Miami, James O'Brien.  
 From Benton, Jasper and Newton, Isaac H. Phares.  
 From Huntington and Wells, John W. Rinear.  
 From Jackson and Lawrence, Louis Schneck.  
 From Harrison, Crawford and Orange, George W. Self.  
 From Wayne, Charles E. Shiveley.  
 From Perry and Dubois, Michael A. Sweeney.  
 From Jefferson and Clark, Ward H. Watson.  
 From Warrick and Spencer, John T. White, Sr.

Senator Newby offered the following resolution, which was adopted: *Resolved*, That the Senators elect, who are present and shown by the election returns to be elected, shall now be sworn in as Senators of the State of Indiana.

Senator Cranor moved that the Senate excuse Senators O'Brien and Vail on account of sickness.

Which motion prevailed.

The President of the Senate announced that the Senate was ready to proceed to the election of officers of the Senate.

Senator Newby presented the name of Rolla B. Oglesbee, of Marshall County, for the position of Principal Secretary of the Senate.

Senator McLean presented the name of George S. Pleasants, of Switzerland County, for the position of Principal Secretary of the Senate.

The roll being called by Auditor of State Henderson, resulted as follows:

Those voting for Mr. Oglesbee were:

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns, LaFollette, McCord, McCutchan, McManus, Mull, Newby, Phares, Schneck, Self, Shiveley, Thayer, Watson, White and Wishard. Total, 28.

Those voting for Mr. Pleasants were:

Senators Alexander, Barnes, Beck, Bird, Ellison, Gifford, Humphreys, Johnston, Kern, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Sweeney and Wray. Total, 20.

Mr. Oglesbee, having received a majority of all the votes cast, was declared duly elected Principal Secretary of the Senate.

Senator Boyd presented the name of William S. Ennes, of Gibson County, for the office of Assistant Secretary.

Senator McLean presented the name of Joseph Friedman, of Dubois County, for the office of Assistant Secretary.

The roll being called by Auditor of State Henderson, resulted as follows:

Those voting for Mr. Ennes were:

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns, LaFollette, McCord, McCutchan, McManus, Mull, Newby, Phares, Schneck, Self, Shiveley, Thayer, Watson, White, Wishard. Total, 28.

Those voting for Mr. Friedman were:

Senators Alexander, Barnes, Beck, Bird, Ellison, Gifford, Humphreys, Johnston, Kern, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Sweeney, Wray. Total, 20.

Mr. Ennes, having received a majority of all the votes cast, was declared duly elected Assistant Secretary of the Senate.

Senator Wishard presented the name of George W. Faucett, of Orange County, for the office of Doorkeeper of the Senate.

Senator McLean presented the name of William T. Mannix, of Allen County, for the office of Doorkeeper of the Senate.

The roll being called, resulted as follows:

Those voting for Mr. Faucett were:

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns, LaFollette, McCord, McCutchan, McManus, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Thayer, Watson, White, Wishard. Total, 28.

Those voting for Mr. Mannix were:

Senators Alexander, Barnes, Beck, Bird, Ellison, Gifford, Humphreys, Johnston, Kern, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Sweeney, Wray. Total, 20.

Mr. Faucett, having received a majority of all the votes cast, was duly elected Doorkeeper of the Senate.

The President of the Senate appointed as page to the President of the Senate and Principal Secretary, Donn. V. Smythe.

The President of the Senate also appointed as floor pages, Leo Lefkowitz and Rolla C. Smith.

Senator Wishard moved to elect a President *pro tem*.

Which motion was declared out of order by the President.

Senator Wishard appealed from the decision of the Chair.

The question being, Shall the decision of the Chair stand as the decision of the Senate.

The ayes and noes were demanded by Senators Wishard and Boyd.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Barnes, Beck, Bird, Ellison, Gifford, Humphreys, Johnston, Kern, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Sweeney, Wray. Total, 20.

Those voting in the negative were:

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns, LaFollette, McCord, McCutchan, McManus, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Thayer, Watson, White, Wishard. Total, 29.

The decision of the Chair being overruled, the question recurred on which Senator Wishard's motion prevailed.

Senator Wishard placed in nomination for President *pro tem*. Senator L. P. Newby, of Henry and Fayette counties.

Senator McLean placed in nomination Senator Samuel Parker, of Marshall and Fulton counties.

The roll-call on election of President *pro tem*. resulted as follows:

Those voting for Senator Parker were:

Senators Alexander, Barnes, Beck, Bird, Ellison, Gifford, Humphreys, Johnston, Kern, Leyden, McDonald, McHugh, McKelvey, Rinear, Seller, Sweeney. Total, 16.

Those voting for Senator Newby were:

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns, LaFollette, McCord, McCutchan, McManus, Mull, O'Brien, Parker, Phares, Schneck, Self, Shiveley, Thayer, Watson, White, Wishard. Total, 29.

Senator Newby having received a majority of all the votes cast was declared duly elected President *pro tem* of the Senate.

The following resolution was presented by Senator Newby:

*Resolved*, That the rules of the Senate of the Fifty-Eighth General Assembly of the State of Indiana be and the same are hereby adopted as the rules of this Senate, when amended, as follows:

Rule 6. The presiding officer shall have general direction of the Senate Chamber.

In the absence of the President, the President *pro tempore* shall preside over the Senate, and in the absence of the President and President *pro tempore*, the Senate shall elect some Senator to preside.



That rule 8 shall be amended to read as follows:

Rule 8. Thirty-seven standing committees, not to exceed seven members each, except as herein otherwise stated, shall be selected and appointed by the Senate.

That rule 21 be amended to read as follows:

Rule 21. When a motion is made and seconded, it shall be stated by the presiding officer, or if in writing, it shall be handed to the Secretary and then read aloud before debated, and should the presiding officer fail or refuse to put the question upon any motion or resolution when duly seconded, then, upon demand of three Senators, the Secretary of the Senate shall put such question and declare the result of the vote thereon.

That rule 45 shall be amended to read as follows:

Rule 45. In forming a committee of the whole Senate the Senators shall elect a Chairman to preside.

And that rule 60 shall be amended to read as follows:

Rule 60. Hereafter when the introduction of bills is in order the list of Senators shall be called alphabetically, and each Senator when his name is called shall be permitted to introduce but two bills each time his name is so called, and the name of no Senator shall be called the second time until the entire list has been called, and on the call of bills on the second and third reading the names of Senators shall be called alphabetically, and the name of no Senator shall be called a second time until the entire list has been called.

Senator Wray offered the following as an amendment:

*Resolved*, That any committee to whom a bill shall be referred shall report to the Senate thereon, upon the proper call of committees, within five days from the time said bill was so referred, and upon the failure or refusal of such committee to so report, the author of the bill, or any member of the Senate, shall have the right at any time thereafter, upon any regular call for reports of committees, to demand the reading of said bill by the Secretary of the Senate, and the question shall then be, "Shall the Senate recommend the passage of the bill?" If the passage of the bill is recommended by the vote of the Senate, it shall be printed and shall then be on its second reading.

Senator Crumpacker moved to reject the amendment.

The ayes and noes being demanded by Senators Wray and Kern, the roll was called, resulting as follows:

Those voting in the affirmative were:

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Holler, Houghton, Kerns, LaFollette, McCord, McCutchan, McManus, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Thayer, Watson, White, Wishard. Total, 28.

Those voting in the negative were:

Senators Alexander, Barnes, Beck, Bird, Ellison, Gifford, Humphreys, Johnston, Kern, McDonald, McHugh, McKelvey, McLean, Rinear, Seller, Stuart, Sweeney, Wray. Total, 18.

The amendment being rejected, the question recurred on the adoption of the resolution of Senator Newby.

Senator Newby moved the previous question, which was seconded by the Senate, the question being: Shall the main question be now put?

The ayes and noes were demanded by Senators Newby and Boyd and the main question ordered.

Those voting in the affirmative were:

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Holler, Houghton, Kerns, LaFollette, McCord, McCutchan, McManus, Mull, Newby, O'Brien, Parker, Phares, Schneck, Self, Shiveley, Thayer, Watson, White, Wishard. Total, 29.

Those voting in the negative were:

Senators Alexander, Barnes, Beck, Bird, Ellison, Gifford, Humphreys, Johnston, Kern, McDonald, McHugh, McKelvey, McLean, Rinear, Seller, Stuart, Sweeney, Wray. Total, 18.

The resolution of Senator Newby amending rules was then adopted by the following vote:

Those voting in the affirmative were:

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Holler, Houghton, Kerns, LaFollette, McCord, McCutchan, McManus, Mull,

Newby, O'Brien, Phares, Schneck, Self, Shiveley, Thayer, Watson, White, Wishard. Total, 28.

Those voting in the negative were:

Senators Alexander, Barnes, Beck, Bird, Ellison, Gifford, Humphreys, Kern, McDonald, McHugh, McKelvey, McLean, Rinear, Seller, Stuart, Sweeney, Wray. Total, 17.

Senator Boyd offered the following resolution, which was adopted:

*Resolved*, That the Principal Secretary of the Senate shall make requisition upon the Bureau of Public Printing, Binding and Stationery for all supplies ordered, or needed for use in the Senate and any printing, binding or stationery procured elsewhere is unauthorized and hereby prohibited.

Senator Wishard presented the following resolution, which was adopted:

*Resolved*, That a committee of two be appointed to inform the House that the Senate has organized, with the Hon. Mortimer Nye, Lieutenant Governor, presiding, and having elected the Hon. L. P. Newby, President *pro tem.*, and Rollo B. Oglesbee, Principal Secretary, William S. Ennes, Assistant Secretary, and George W. Faucett, Doorkeeper, and that the Senate of the Fifty-ninth General Assembly of Indiana is now ready to proceed with legislative business.

Senator Newby offered Senate Concurrent Resolution No. 1.

*Resolved*, That there be appointed by the presiding officer of the Senate a committee of three to act in connection with a like committee of the House, to wait upon the Governor and notify him of the organization of both houses of the General Assembly, and that they are ready for the transaction of public business.

Which resolution was adopted.

Senators Boyd, Newby and Parker were appointed on said committee.

The following communication was received from the House, which was ordered spread upon the records of the Senate :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has adopted the following concurrent resolution of the Senate :

*Resolved*, That there be appointed by the presiding officer of the Senate a committee of three to act in connection with a like committee of the House, to wait upon the Governor and notify him of the organization of both houses of the General Assembly, and that they are ready for the transaction of public business.

Which concurrent resolution was adopted, and the Speaker announced the following committee :

Messrs. Merritt, Stutesman and Swope.

Senator Newby offered the following resolution, which was adopted :

*Resolved*, That the standing committees of the Senate and the joint committees shall be composed of the following named Senators, to wit :

1. *On Finance*.—Haggard, Bozeman, Holler, Gostlin, Wishard, Alexander and Leyden.
2. *On Judiciary*.—Newby, Cranor, Vail, LaFollette, Shiveley, Parker and Kern.
3. *On Education*.—Duncan, McCutchan, Thayer, Mull, Haggard, McLean and Gifford.
4. *On Organizations of Courts*.—Shiveley, Phares, Houghton, Boord, Newby, Ellison and Stuart.
5. *On Corporations*.—Boord, Duncan, Schneck, Kerns, McCord, Humphreys and Rinear.
6. *On Roads*.—Kerns, Houghton, Holler, White, Bozeman, Rinear and Bird.
7. *On Benevolent Institutions*.—Boyd, White, Collett, Newby, Wishard, Parker and McLean.
8. *On Agriculture*.—Holler, Kerns, Schneck, Bethell, Mull, Bird and Beck.



9. *On Banks*.—Bozeman, Mull, Phares, Thayer, Collett, McHugh and Johnston.
10. *On Public Printing*.—Self, Phares, Vail, Haggard, Boord, McDonald and Seller.
11. *On Public Buildings and State Library*.—McCord, Phares, Duncan, McManus, Thayer, Barnes and Beck.
12. *On Elections*.—Houghton, LaFollette, McCord, Watson, Gostlin, Wray and Stuart.
13. *On Federal Relations and Rights and Privileges of the Inhabitants of the State*.—Gostlin, O'Brien, Bethell, Crumpacker, Bozeman, Humphreys and McHugh.
14. *On Temperance*.—Watson, Crumpacker, Bethell, Wishard, McCutchan, Leyden and Bird.
15. *On County and Township Business*.—Collett, McCord, Bethell, Boyd, Holler, McHugh and Sweeney.
16. *On Public Health, Vital and Other Statistics*.—Bethell, White, Holler, Schneck, McManus, McKelvey and Rinear.
17. *On Claims and Expenditures*.—Watson, Boyd, White, Thayer, Duncan, Seller and Barnes.
18. *On Military Affairs*.—McCutchan, Collett, Haggard, Mull, McManus, McLean and Bird.
19. *On Phraseology and Arrangement of Bills and Unfinished Business*.—LaFollette, Shiveley, Newby, Houghton, Boord, Alexander and Gifford.
20. *On State Prisons*.—Thayer, Watson, Schneck, Boord, Gostlin, McDonald and McKelvey.
21. *On Swamp Lands and Drains*.—Phares, Gostlin, Holler, Kerns, O'Brien, Seller and Ellison.
22. *On Fees and Salaries*.—Cranor, Bozeman, Self, Duncan, Boord, Haggard, Collett, LaFollette, Baker, Humphreys, Alexander, Kerns and Parker.
23. *On Insurance*.—Baker, Self, McCord, Boyd, White, Seller and Wray.
24. *On Railroads*.—Crumpacker, Boord, Mull, Watson, Baker, Wray and McDonald.

25. *On City of Indianapolis.*—Wishard, Cranor, Self, Crumpacker, McHugh, Kern and Stuart.

26. *On Natural Gas.*—LaFollette, O'Brien, Cranor, Baker, Shiveley, Rinear and McHugh.

27. *On Revision of the Constitution.*—Baker, O'Brien, Vail, Crumpacker, Houghton, Barnes and Bird.

28. *On World's Fair.*—McCutchan, Sweeney, Leyden, Johnston, Duncan, Newby, McHugh, Kerns, Phares, Gostlin, Baker, McManus and Holler.

29. *On Mines, Mining and Manufactures.*—Schneck, McCutchan, Thayer, Boyd, Kerns, McKelvey and Ellison.

30. *On Congressional Apportionment.*—Vail, White, Sweeney, Leyden, Mull, McCord, Cranor, Wishard, Kerns, Phares, Beck, LaFollette and McDonald.

31. *On Legislative Apportionments.*—Wishard, Bethell, Houghton, Leyden, Johnston, McKelvey, Shiveley, McLean, O'Brien, Gostlin, Baker, McManus and Crumpacker.

32. *On Supervision and Inspection of Journal of Senate.*—Newby, Self, Boyd, Vail, Thayer, Gifford, and Barnes.

33. *On Executive Appointments.*—White, Schneck, Bozeman, McCutchan, Wishard, Ellison and Stuart.

34. *On Cities and Towns.*—O'Brien, Schneck, Cranor, Haggard, Vail, Gifford and Sweeney.

35. *On Labor and Labor Statistics.*—Mull, O'Brien, Wishard, Houghton, Bethell, Parker and Beck.

36. *On Rules of Senate, Lieutenant-Governor, Ex-officio.*—Cranor, Newby, LaFollette, Shiveley, Watson, Kern and Alexander.

37. *On Soldiers' and Sailors' Monument.*—Boyd, Duncan, Self, McCutchan, Bozeman, Alexander and Johnston.

#### JOINT COMMITTEES.

1. *On Enrolled Bills.*—Vail, Self and Humphreys.

2. *On Public Buildings.*—Haggard, Collett and Wray.

3. *On State Library.*—McCord, McManus and Barnes.

Senator Boord offered the following resolution :

*Resolved*, That the President appoint a committee of three Senators on mileage.

The resolution was adopted, and the President appointed as said committee Senators Boord, Stuart and McLean.

Senator Barnes offered the following resolution :

*Resolved*, That the principal Secretary of the Senate is hereby instructed to procure and place on the desk of each Senator, for reference during the session, one copy of the Revised Statutes of 1894.

Senator Cranor offered the following substitute :

*Be it resolved*, That the Principal Secretary of the Senate is hereby authorized and directed to purchase on the best possible terms, and at a rate not to exceed \$15 per set, the Indiana Statutes, revision of 1894, 3 volumes, for the use of the members of the Senate and President of the Senate. No member shall have the use of more than one set of said books, and shall receipt to the Secretary of the Senate for the same.

Senator Kern offered the following amendment to the substitute offered by Senator Cranor :

*Resolved*, To amend by adding that at the end of the session such copies be returned to the State Librarian for the use of the members at the next session of this body.

Senator McDonald offered the following amendment :

*Resolved*, That the resolution be amended by adding eight copies to be used in committee rooms of this body and that they be subject to the same rules of action.

Senator McCutchan moved that the consideration of the whole matter be postponed until 10 o'clock to morrow and make it a special order.

Which was adopted.

Senator Newby moved that when the Senate adjourn it be until 10 o'clock to-morrow.

Which motion prevailed.

Messrs. Newhouse and Swope, from the House, made the following report as to the organization of the House of Representatives :

MR. PRESIDENT :

We beg leave to report to the Senate that the House is organized by the election of Justus C. Adams, of Marion County, as Speaker; R. A. Brown, of Johnson County, as Principal Clerk; Jonathan C. Wright, of Howard County, as Assistant Clerk, and David L. Wright, of Washington County, as Doorkeeper, and is ready to proceed with the business of the session.

Messrs. Newhouse and Swope, as such committee, made the above report to the Senate.

Senator Crumpacker moved that a committee of three be appointed to confer with the House in reference to the selection of Librarian.

The motion prevailed, and the committee was named by the President, as follows :

Senators Watson, Leyden and Crumpacker.

Senator Wray offered Concurrent Resolution No. 2, as follows :

*Resolved*, That there be appointed a committee of three members, upon the part of the Senate, to serve upon the committee to be appointed by the Senate and the House to prepare joint rules for the two houses, and that the House be notified of such appointment.

The consideration of the same was made a special order for January 11, 1895, at 10 o'clock A. M.

The committee appointed to wait upon the Governor reported that he would be pleased to meet the General Assembly in joint session to-morrow morning at 10:30 o'clock, to submit his message.

Senator Newby presented the following notice of contest of election :

*To the Senate of the State of Indiana :*

The undersigned represents to your honorable body that in the election of the year 1894, which occurred on the 6th day of November, 18 4, he was a candidate of the Republican party for State Senator from a district composed of the counties of Huntington and Wells, in the State of Indiana, and was upon the tickets as a duly certified candidate at such time.

He says to the Senate that after such election and after the canvassing of such vote, his opponent, one John W. Rinear, was declared elected to such office, but this contestant, Adam Foust, hereby contests said election and protests and objects to the awarding of such seat to said Rinear because of the fact that upon a fair vote and a fair count of the legal votes of said district said Rinear was not elected, but that this contestant was duly elected.

He therefore contests the right of the seat which has been certified to as belonging to said Rinear, and prays this body to award him, upon an investigation, said seat, for the following reasons :

*First.* Said Rinear is ineligible and incapable to hold said office in said Senate for the reason that he violated the election laws of the State of Indiana by electioneering and using influences upon the voters which were denied him by the laws, to wit: By hauling in voters to vote at the polls, and other influences to obtain votes which are contrary to the election laws.

*Second.* In Precinct No. 9, of Huntington Township, in Huntington County, Indiana, twenty votes of paupers, which are temporarily staying at the County Infirmary in said Precinct No. 9 were taken by the Superintendent thereof, and by persuasion and threats induced to vote in such precinct; whereas, nineteen of said twenty voters were not residents of said Precinct No. 9, and had no legal right to vote therein, said nineteen votes of said paupers, all under the influence of said Superintendent of said County Infirmary, voted the Democratic ticket, and four of said paupers were crazy or insane people.

*Third.* The vote of the first and second precincts of Jackson Township, Wells County, Indiana, in said district, should be thrown out and utterly ignored in computing the vote for said Senator, so far as said Senator is concerned, for the following reasons:

a. The polls of the east precinct of said Jackson Township were not opened until after 10 o'clock A. M. of the election day, to wit: November 6, 1894, and this contestant avers that on account of said polls not having been opened until such a late hour, a number of Republican voters, to wit: six or ten, were deprived of voting at such polls on account of having to go a long distance at their labor, they being laboring men.

b. The polls at said second precinct or west precinct of said Jackson Township were not open until after nine o'clock, and on account thereof a number of votes were lost to this contestant on account of not being able to vote, their private business compelling them to retire from the polls before voting, he avers that the majority of the election board were Democratic in both of said precincts, and the inspector of each of said precincts was a Democrat.

*Fourth.* The vote of said first and second precincts of said Jackson Township, so far as this contestant and the office of said Senator is concerned, should be thrown out and utterly ignored for the further reason that relatives of the various officers that were candidates upon the tickets that were being voted for at said election in such township were served upon the election board in various capacities at said election.

*Fifth.* Paupers and insane persons were voted by Democrats in Wells County to the injury of this contestant.

*Sixth.* There were many other and divers gross irregularities, and, as he believes, frauds perpetrated which resulted in depriving this contestant of a fair election.

Your contestant avers that almost the entire Election Boards of the two counties of Huntington and Wells were controlled by Democrats. Out of thirty-nine precincts in Huntington County thirty-six of the Boards had a Democratic majority, and in Wells a still larger per cent.

He, therefore, respectfully asserts that he was elected as the Senator from the district composed of Huntington and Wells counties, and prays that he be awarded the seat.

ADAM FOUST.

Senator Newby moved that the notice be placed on file and referred to the Committee on Elections, which motion prevailed.

Senator Newby offered the following resolution :

*Resolved*, That the papers in the contest of Adam Foust for a seat in the Senate from the Senatorial District composed of Huntington and Wells counties be referred to the Committee on Elections, and that they be instructed to report not later than the first day of February, 1895.

Senator McLean offered the following amendment :

*Resolved*, That such committee report their actions at the earliest day practicable after full investigation.

The amendment was withdrawn.

The resolution of Senator Newby was then adopted.

On motion of Senator McKelvey, the Senate adjourned.

	MORTIMER NYE,
WILLIAM S. ENNES,	President of the Senate.
Assistant Secretary of the Senate.	

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## FRIDAY MORNING.

JANUARY 11, 1895.

The Senate convened at 10 o'clock A. M., Lieutenant-Governor Mortimer Nye in the Chair.

After the reading of a portion of the Journal, on motion of Senator Cranor, the further reading of the Journal was dispensed with.

On motion of Senator Cranor, the special order for this hour, providing for the purchase of the Revised Statutes of 1894

was taken up and on motion of Senator McCutchan the further consideration of the same was postponed until Monday, January 14, 1895, at 10 o'clock A. M., and made a special order for that hour.

Senator Haggard, by consent, introduced Senate Bill No. 1, entitled :

A bill for an act to establish and maintain the Indiana State Home for disabled or destitute soldiers, sailors or marines and the wives and destitute widows of such soldiers, sailors and marines, and declaring an emergency.

Read the first time and referred to the Committee on Military Affairs.

Senator Cranor called up the resolution of Senator Wray providing for the appointment of a Joint Committee on Rules.

The resolution was adopted and the chair appointed Senators, Wray, Cranor and Duncan as such committee.

Senator Humphrey, by consent, introduced Senate Bill No. 2, entitled :

A bill for an act to tax greenbacks and other moneys.

Read the first time and referred to the Committee on Judiciary.

Senator Crumpacker moved that when the Senate adjourn it adjourn to meet Monday, January 14, at 10 o'clock A. M.

Carried.

Lieutenant-Governor Nye presented the following memorials :

*Mr. President and Gentlemen of the Senate :*

Will you please give ear to an appeal from the Boys' Club and Employment Association, an institution carried on by benevolent men and women of this city, who are caring for the boys of the street and doing all they can to make good and loyal citizens of them. There are many bright boys among



them, and, of course, needy ones. What we wish to ask, is a position as page for one of them in your honorable body.

Respectfully,

CLARENCE M. ZENER,  
Secretary.

M. V. MCGILLIARD,  
President.

INDIANAPOLIS, January 10, 1895.

*Mr. President and Gentlemen of the Senate:*

As the Superintendent of the Boys' Club and Employment Association, and being in a position to know who the trustworthy and needy boys are, and in case our petition is favorably considered, I most cheerfully recommend to your honorable body (as page) one Henry George.

Respectfully,

64 E. Court Street, City.

S. P. DIXON,  
Superintendent.

Referred to the Committee on Benevolent Institutions.

Senator Wray, by consent, introduced Senate Bill No. 3, entitled:

A bill for an act making it unlawful for railroad companies, corporations and other persons operating railroads, wholly or in part within this State, to offer, promise or give free passes, free transportation or discrimination in passenger rates to certain State, county, city and town officers, making unlawful the asking, acceptance or use of the same by such officers, prescribing penalties for violations thereof, also defining certain duties of the Attorney General and Prosecuting Attorneys in relation to such violations, and prescribing a penalty for their failure or neglect of such duties, and declaring an emergency.

Read the first time and referred to the Committee on Railroads.

Senator Stuart, of Marion, by consent, introduced Senate Bill No. 4, entitled:

A bill for an act to fix the salaries of Coroners in all counties in this State having a hundred thousand or more inhabitants, according to the last preceding United States census, and to

repeal all laws and parts of laws in conflict with the provisions of this act.

Read the first time and referred to the Committee on Affairs of the City of Indianapolis.

Senator Wishard introduced Senate Bill No. 5, entitled :

An act appropriating one hundred and five thousand dollars to defray the expenses of the Fifty-ninth General Assembly, and declaring an emergency.

Read the first time.

Senator Wishard moved that the constitutional rule be suspended, the bill read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being on the suspension of the constitutional rule.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Kerns of Vermillion, Kern of Marion, LaFollette, Leyden, McCutchan, McHugh, McLean, McManus, Mull, Newby, Parker, Phares, Rinear, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard, Wray. Total, 41.

Those voting in the negative were :

Senator McDonald. Total, 1.

So the constitutional rule was suspended and Senate Bill No. 5 was read the second time by title, considered engrossed and the third time by sections.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Haggard, Holler, Houghton, Humphreys, Johnston, Kerns of Vermillion, Kern of Marion, LaFollette, Leyden,

McCutchan, McDonald, McHugh, McLean, McManus, Mull, Newby, Parker, Phares, Rinear, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard, Wray. Total, 43.

None voting in the negative.

So the bill passed, and the title to the bill as read was adopted as the title to the act.

Senator Shiveley, by consent, introduced Senate Bill No. 6, entitled,

A bill for an act concerning the employment of employes for the Senate, defining their duties, providing for their compensation, repealing all laws in conflict herewith, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Haggard introduced Senate Concurrent Resolution No. 3:

*Be it resolved by the Senate, the House of Representatives, concurring,* That the Senate shall appoint a committee, consisting of two of its members, with two members to be appointed by the House, which committee shall have authority to employ an expert accountant to assist in making an investigation of the books, vouchers and accounts of the offices hereinafter named and for the time specified therein; and that for the services of said expert, the committee shall make a reasonable allowance, which shall be paid out of the appropriation made for legislative purposes, and the Secretary of the Senate is hereby authorized to issue to said expert his warrant upon the certificate of the said committee.

*First.* To make a thorough examination of the books and vouchers of the Attorney-General's office, from November 15, 1890, to November 15, 1894, and ascertain what sums of moneys were *actually collected*, and what amount of funds were transferred from one fund to another; the amount of fees said Attorney-General charged and deducted from *actual collections* made by him for making such transfers of accounts from one fund to another in the several counties of the State, and the amount of fees received and retained by him from actual collections from all other sources.

Also to ascertain the amount of fees said Attorney-General received direct from the Treasurer of State, upon warrants issued by the Auditor of State, on account of such transfers of accounts from one fund to another in the several counties of the State, and such other fees and moneys as he may have received upon the warrants of the Auditor of State; the amount of salary and office expenses received by him, and such other information as said Commissioners may desire.

*Second.* To investigate and ascertain the amount of salary and allowances paid to the Deputy Attorney-General upon warrants issued by the Auditor of State, and the authority for the payments of such salary and allowances to such Deputy Attorney-General.

*Third.* To make investigation of the vouchers and accounts of the Bureau of Statistics, and ascertain the amounts expended by the Chief of said Bureau, for salaries and allowances paid to clerks and assistants of said Bureau, showing each year's expenditures, commencing November 15, 1890, and ending November 15, 1894, setting forth to whom and for what purposes such payments were made.

*Fourth.* To make investigation of the vouchers and accounts of the Superintendent of Public Instruction, beginning March 15, 1891, and ascertaining what fees, if any, were collected and paid into the State Treasury by such Superintendent; the amount of salaries paid out of the appropriation for "Clerks' salaries, Superintendent of Public Instruction," and to whom such payments were made.

*Fifth.* To investigate and ascertain the amount of insurance tax and insurance fees collected and the amount retained from such tax and fees as percentage; what salaries and compensation were paid to the clerks and employes of the Auditor of State, beginning January 25, 1891, setting forth the amount paid to each clerk and assistant, and the authority for such payments.

*Sixth.* To investigate and ascertain from the books and accounts in the office of the Secretary of State the amount of fees and charges collected by him and the amount of such charges and collections retained by him as his percentage from January 16, 1893, to January 15, 1895.

To ascertain the number of copies of Revised Statutes of 1881 sold by said Secretary and the number of such copies now on hand and such other matters as the Commission may deem advisable.

*Seventh.* To make careful examination of the general appropriation account of 1893 and ascertain whether or not the same contains double or erroneous appropriations, or appropriations for which no services are being rendered, and to investigate such other matters as the Commission may deem advisable.

Senator McDonald moved to amend by substituting the words "1886" for "1890."

The amendment was accepted.

Senator Crumpacker moved that this resolution be made a special order for Monday, January 14, at 2 p. m.

Carried.

On motion of Senator Kern the resolution was ordered printed.

The hour of 10:30 o'clock having arrived, on motion of Senator Cranor, of Delaware and Randolph counties, the Senate repaired to the hall of the House of Representatives to hear the Governor's message.

The Senate appeared on the floor of the House at 10:30 o'clock

The joint assembly was called to order by President of the Senate, Mortimer Nye.

The following members of the Senate were present and answered to roll-call:

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kerns of Vermillion, Kern of Marion, La Follette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Thayer, Watson, White, Wishard, Wray. Total, 49.

The following members of the House were present and answered to the roll-call :

Messrs. Adams of Parke, Adams of Marion, Allen, Allison, Beeker, Billingsly, Binkley, Blakely, Blue, Boardman, Bohanon, Booher, Cardwill, Coates, Cooley, Crozier, Culbert, Dalman, Davis, Dinwiddie, Duncan, Farrell, Feist, Finkbiner, Floyd, Fowler, Gaither, Garriott, Gibson, Gregg, Griffin, Grimes, Hamrick, Harris, Harrison of Shelby, Harrison of Elkhart and Kosciusko, Hesler, Higbee, Holloway, Howe, Hundley, Hunt, Hunter, Jackson, Kamp, Kell, Kelly, Laidlow, Lambert, Leedy, Lloyd, Longwell, Loring, McBeth, McCaskey, McGeath, McGregor, McIntosh, McCrea, Melendy, Merritt, Moore, Newhouse, Nicholson, O'Brien, Pettit, Poindexter, Porter, Remington, Remy, Reynolds, Ross, Simons, Spaulding, Spitler, Stakebake, Stettler, Stewart, Stotsenburg, Statesman, Swope, Terhune, Thomas, Van Arsdel, Vonnegut, Welch, White, Williams, Willis, Willoughby, Wilson, Woodruff. Total, 93.

The following committee was appointed to wait upon the Governor and inform him that the joint session of the General Assembly was ready to receive him :

Senators McLean and Haggard on the part of the Senate, Representatives Merritt, Van Arsdel and Cardwill on the part of the House.

#### MESSAGE OF GOVERNOR CLAUDE MATTHEWS, 1895.

*Gentlemen of the Senate and House of Representatives :*

Once again you are assembled, the chosen representatives of an intelligent and progressive people, to consider measures which concern and may promote the general welfare of the people, and enact such laws as may advance the interests of your State.

I trust you realize to the fullest extent the grave responsibilities which rest upon you. Our Legislatures have done much in recent years to place Indiana in the front rank of States in the adoption of great reform measures, by keeping step with the advancing march of a more perfect civilization, and meeting the increasing demands of a people growing rapidly in

wealth, in general prosperity and enlightenment. It is to be hoped that the work of the Fifty-ninth General Assembly may not fall short of those that have passed.

It becomes my duty under the Constitution to give you such information touching the condition of the State and recommend such measures as shall be judged to be expedient.

Of the financial condition of the State, the management of its public institutions and of the several State offices during the past two years, it will not be expected that I should in this paper go into fullest details, and would therefore refer you for this more extended information to the several reports, which will be submitted to you.

#### FINANCES.

It affords me unqualified satisfaction to announce that the finances of the State are in a sound and healthy condition. Notwithstanding the fact that the last General Assembly reduced the levy two and one-half cents, a greater revenue was derived than under the old levy, which was largely due to the assessment of property under the tax law of 1891.

I am of the opinion that a still further reduction can be safely made, at least of two cents in the school tax levy. The State institutions have been generously provided for under their judicious and economical management—there has not been the annual deficit—it has not been necessary to borrow money to meet the annual interest upon the State debt, but on the other hand, during the past two years, demands upon the treasury have been promptly honored, interest met, and the sum of \$910,000 already paid upon the State debt, and the further sum of \$400,000 called in, and will be canceled in a few days, making the total paid on State debt \$1,310,000.

In the creation of a State debt sinking fund, a three-cent levy, means have been provided for the sure and gradual extinction of the State debt. The sum produced by this levy of three cents, together with what may reasonably be expected to be available from the general fund, unless there should be a heavier reduction in the reassessment of property in 1895, than is probable, will annually reduce the debt nearly if not quite one-half million of dollars. As this debt was in a great measure incurred for purposes from which those coming after

us will derive an equal benefit, it is but just that they should assist in liquidating it. Therefore, I do not recommend an increase in the levy for the sinking fund, but it should remain at its present rate.

#### STATE DEBT.

The present indebtedness of the State is as follows :

#### FOREIGN DEBT.

Five per cent. State Stock Certificates due and interest stopped .....	\$4,469 99
Two and one-half per cent. State Stock Certificates due and interest stopped.....	2,145 13
Three and one-half per cent. registered funding bonds, temporary loan, 1885, due April 1, 1895	585,000 00
Three and one-half per cent. registered bonds, temporary loan, 1885, due March 1, 1895 (will be paid .....	400,000 00
Three and one half per cent. New State House bonds, temporary loan, 1885, due may 1, 1895	500,000 00
Three per cent. registered temporary loan bonds, 1889, payable at pleasure of State, after April 1, 1894, due April 1, 1899.....	700,000 00
Three per cent. registered temporary loan bonds, 1889, payable at pleasure of State after September 20, 1894, due September 20, 1899.....	700,000 00
Three per cent. registered refunding school bonds, 1889, payable at pleasure of State after June 18, 1899, due June 18, 1909 .....	3,905,000 00
Three and one half per cent. registered, temporary loan interest bonds, 1891, due March 2, 1896.....	300,000 00
Three and one-half per cent. registered refunding bonds, 1892, payable at the pleasure of the State after April 1, 1897, and due April 1, 1901.....	340,000 00
<b>Total foreign debt .....</b>	<b>\$7,436,615 12</b>
<b>Less the amount to be paid the 14th inst...</b>	<b>400,000 00</b>
	<b>\$7,036,615 12</b>



## DOMESTIC DEBT.

Five per cent. bond held by Purdue University, due April 1, 1901 .....	\$340,000 00
Five per cent. permanent endowment fund Indiana University bonds, held by State University, Bloomington .....	144,000 00
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Total domestic debt.....	\$484,000 00
Total State debt, foreign and domestic.....	7,920,615 12
Less amount to be paid 14th inst .....	400,000 00
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Total.....	\$7,520,615 12

## ANNUAL INTEREST CHARGES.

Foreign debt.....	\$283,525 00
Domestic debt.....	24,200 00
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Total.....	\$267,725 00

During the past two years it is a matter for congratulation that the necessity has not existed for the issuance of temporary interest loan bonds, nor for the increase of the State debt. In fact, this debt has been reduced since April 1, 1893, to the extent of \$910,000, and thus making a saving in the annual interest charge of \$42,300.00, viz.:

Three per cent. temporary interest loan, 1888, due April 1, 1893.....	\$341,000 00
Three per cent. temporary interest loan, 1889, due April 1, 1894 .....	370,000 00
Three and one-half per cent. temporary loan bonds, 1885, redemption November 1, 1894, under State's option.....	200,000 00
<hr/>	
Total reduction State debt.....	\$910,000 00
To which must be added the 3½ per cent. loan bonds of 1885, called in for cancellation and money deposited for their payment.....	400,000 00
<hr/>	
Grand total, reduction of State debt ....	\$1,310,000 00

The State now has an option on the redemption of the following issues of bonds, viz.:

Three and one-half per cent. temporary loan bonds, 1885.....	\$400,000 00
Three per cent. temporary loan bonds, 1889 .....	1,400,000 00
Total .....	<u>\$1,800,000 00</u>

On March 2, 1896, the three and one-half per cent. temporary interest loan bonds of 1891, amounting to \$300,000, will become due.

On April 1, 1897, the option of the State on the redemption of the three and one-half per cent. temporary interest loan funding bonds \$340,000 will become enforceable, as will also, June 18, 1899, the option on the three per cent. school fund refunding bonds of \$3,905,000.

The following bonds will become due during the present year, and will have to be provided for:

March 1, 1895, 3½ per cent. temporary loan bonds, 1885 (payment provided).....	\$400,000
April 1, 1895, 3½ per cent. temporary funding bonds, 1885.....	585,000
May 1, 1895, 3½ per cent. new State House bonds, 1885 .....	500,000
Making a total falling due the present fiscal year of	1,485,000
Or less the \$400,000 due March 1, which will be paid, leaving.....	1,085,000

I would recommend that you provide for the refunding of this debt, and that it be for the extension of the option to a longer period than is now permitted, believing that a lower rate of interest may be secured. This extension of time can well be granted, for the amounts upon which options are enforceable, and the debt maturing in 1896, 1897 and 1899 will be as much, if not more, than can be cared for without unduly increasing the sinking fund levy for several years to come.

## DOMESTIC TROUBLES.

It is with sincere regret that I have to report that during my two years of administration our State has not been free from domestic troubles, through attempts by organized bodies of men from an adjoining State to openly and defiantly violate our laws. At several times and places the public peace has been seriously threatened by bodies of men attempting to correct real or fancied wrongs, independent of the peaceful means provided by law, and in defiance of constituted authority. This, to such an extent, that it became necessary for the State to exercise its power in quelling these disturbances.

## COLUMBIAN ATHLETIC CLUB.

Since the last adjournment of the General Assembly, and claiming the right under the act of March 3, 1893, the Columbian Athletic Club was organized. A large building or amphitheatre capable of seating several thousand spectators, was erected by this Club in Lake County, near the town of Roby, and began operation by advertising what, although thinly disguised, were known or currently believed to be prize fights. Not being of the opinion that the act of March 3, 1893, under which the Columbian Athletic Club was incorporated, authorized that association to conduct prize-fights at Roby, or at any other place in the State, and that this act did not repeal the law which makes prize-fighting a criminal offense, I immediately entered into correspondence with the authorities of Lake County, seeking to devise some means to prevent or suppress these meetings. Several exhibitions were given in the building of this Club which clearly revealed the purpose of the association, and the character of its sport.

The authorities of Lake County seemed to be powerless to prevent the operations of the Club, and I therefore caused a suit to be commenced in the Lake Circuit Court for an injunction and for the appointment of a receiver. A receiver was appointed, and from this order an appeal was taken at once to the Supreme Court, where the case still remains undecided. Owing to the vast crowds, from five to eight thousand, gathering on the grounds of this Club, largely of a rough and desperate character, and on account of the construction of the

building, so arranged that it was difficult and dangerous to obtain access to the centre, or ring, for the purpose of making arrests, and the large number of employes of the Association guarding the entrance, the civil authorities felt powerless to contend or make arrests. I therefore, on the 4th day of September, 1893, a contest being advertised for that evening, dispatched Adjutant General Robbins with thirteen companies from the Second, Third and Fourth regiments of Indiana Legion to put the receiver in possession of the property and make arrests of the principals, the seconds, aiders and abettors of the prize-fights, and as many of the spectators as possible. The association becoming advised of the presence of the State troops in the vicinity, declared the meeting off, no arrests could be made, and the receiver was peaceably installed.

This has ended the prize-fighting at Roby up to this date, and the property of the Club abandoned. Indictments were found in the Lake Circuit Court against some of the participants in previous contests, trial was had, resulting in the conviction of one who is now a fugitive from justice. The expense incurred in sending the State troops to the scene of trouble was paid out of the Military Contingent Fund, allotted to the Governor of \$2,000 per annum, consuming nearly all of this fund for the years 1893 and 1894.

I would here earnestly urge upon you the importance of enacting a more stringent law upon prize-fighting, making it a felony to those who may participate, either as principals or seconds. It should also be more clearly defined as what may be considered prize-fighting, and what exhibition contests are in places of amusement. The advertising of a prize-fight should be made unlawful and punishable with a fine.

#### COAL MINERS' STRIKES.

During the spring of 1894 the coal miners of the State were idle during the pendency of a disagreement between operators and miners as to wages for mining coal. The strike in the coal fields was extensive throughout the country, as well as in Indiana, and of long duration. This caused no little suffering to the miners and their families, and in many cases actual want. This suffering and enforced idleness was bravely and

patiently endured, awaiting a peaceable settlement of differences, arousing widespread sympathy for their distress, for the great majority of the miners of the State are an intelligent and law-abiding class of citizens. However, some of the more restless and hot-headed, growing impatient in the delay of reaching an agreement as to the scale of wages to be paid, began to commit depredations, destroying property, endangering life, and interfering with the conduct of business by other citizens of the State. Such violations of law could not be countenanced, and the local authorities were unable to cope with the lawlessness indulged in.

In consequence of this, June 1, 1894, I was notified by the proper officials of Daviess County, that a large body of men had collected at Cannelsburg, in that county, were violently obstructing the passage of trains, destroying property, defying the authority of the Sheriff, and refusing to be served with any notice, writ or order of the courts. I ordered Adjutant-General Robbins, with nine companies of the Indiana Legion, to the seat of trouble. On his arrival the mob violations of law had ceased and the crowd had dispersed. The troops remained in camp there several days, patrolling the country and aiding the civil authorities in making arrests. The main body of troops were withdrawn in a short time, leaving a small detachment in command of Major Rockwood, who, after three days, having restored peace and quiet, withdrew the remainder of the troops, leaving matters in the hands of local authorities.

In the meantime similar disturbances, but of more serious nature, arose in Sullivan County. To this point I ordered six companies of the First Regiment, under command of Brigadier-General McKee, several of the companies withdrawn from Daviess County afterward joining his forces, as it became evident from the number of points affected, and the extent of country to be covered, it was necessary for a considerable division of his forces. It became necessary for the troops to remain in this field for twenty days before order was fully restored. Neither in Daviess nor in Sullivan counties did a collision occur between the troops and the citizens. The presence of the militia, through the firmness of the officers and the soldierly bearing of the men, being sufficient to accomplish the purpose. At no time was there any serious outbreak, yet all the time there was imminent danger, and only avoided by

the presence of the troops. The large force of armed soldiers deterred an attack, which a smaller number might have invited, leading to possibly serious loss of life. I deemed it wise to send a large, effective force, believing the State could better afford to bear the slight additional cost rather than the sacrifice of lives.

#### RAILROAD STRIKE.

July 8th, 1894, the State was again called upon to render assistance in quelling the more alarming disorders and riots that had broken out in Lake County, at and near the city of Hammond.

A strike originating at Pullman, Illinois, was in sympathy joined in by the American Railway Union in Chicago, and from there spread to the towns and cities in Indiana, lying close to that city. As is too often true, a vicious element, unable to appreciate the institutions of a free people, whose only idea of liberty is license, and respecting no law save that of force, availed themselves of the opportunity to commence their depredations. Lawlessness soon became so rampant that the peace officers, backed by all the law-abiding citizens of the locality, were not able to prevent the wicked and flagrant violations of law. The travel of millions of people was blocked, and great suffering inflicted upon innocent travelers, many of these women and children, through cruel detention of trains. Business was paralyzed, thousands of dollars' worth of property destroyed, and the lives of many at the post of duty, endeavoring to perform their labor, endangered.

In answer to the demands of humanity, law and order, as well as to the appeal of the civil authorities of Lake County, Adjutant General Robbins, in command of fifteen companies of the Second, Third and Fourth Regiments, and a detachment of Company A, Artillery, in charge of a Gatling gun, of the Indiana Legion, was ordered to Lake County. Immediately prior to his arrival a detachment of United States troops had visited Hammond, and coming in collision with the rioters, one man was killed and several others wounded. General Robbins and his command immediately took possession and restored quiet. After the arrival of the Indiana militia no further destruction of property occurred, no lives were lost, travel resumed, and comparative order was restored. Owing

to the nearness of Hammond to the city of Chicago, the great center of the disturbance, and not knowing what dangers might be encountered where thousands of lawless men could be massed in a few hours' call, I sent so large a force as I did—about 740 men. He was compelled to divide his troops among several points, and it was soon discovered that the number was not greater than needed.

It becoming necessary to retain the troops there for a longer period than was first thought probable, companies from time to time were relieved and new companies ordered to take their place.

The military arm of the Government was only brought into use under the strict requirements of the law, and in Daviess, Sullivan and Lake counties were held subordinate to the civil authorities in all respects, and to aid, protect and assist the civil officers in the discharge of their duties and the enforcement of law.

The total expense incurred was .....	\$52,807
Pay rolls (per diem of soldiers) .....	\$41,917 49
Railway transportation.....	5,547 68
Subsistence, telegraph, express, camp and minor expenses.....	5,341 83
Total.....	\$52,807

Of this amount I have caused to be paid out of the regular military fund \$5,341.83, leaving an unpaid balance of \$47,465.17, to which should be added interest upon money borrowed with which to pay troops. The sum as stated paid out of the regular fund was with the belief that as no annual camp of instruction was held, it would be proper, as the cost of subsistence of such camp would probably have amounted to this sum. Vouchers, certified bills and pay-rolls are on file in the Adjutant-General's office, to which I invite your attention.

There was no fund upon which I could draw for the payment of the troops for their active service in the field.

The Indiana Legion promptly responded to the call to duty, and rendered cheerful, obedient, effective service, many of them rendering service at great personal sacrifice, leaving their occupations and employments, wages or salaries stopped, while in the service of the State, and could ill afford to await the assembling of the State Legislature to provide the necessary

means to pay the one and a half dollar per day which the State allows its soldiers while in active service.

Many would be forced to submit to heavy discounts of even these small sums. In view of this I borrowed the sum of \$41,917.49 to meet this necessity. The three banks in Indianapolis to which I applied met me in a generous, cordial spirit, and to the Merchants' National, the Fletcher's and the Indiana National banks I executed my individual note in three equal sums, with 6 per cent. interest.

Principal borrowed August 22, 1894.....	\$41,917 49
Interest, 6 per cent., to January 22, 1895 (5 months)	1,047 92

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Total.....	\$42,965 41
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Added to this the amount of expenses yet unpaid, \$5,547.68, making a total of \$48,513.09, for which I ask you to provide.

I can not dismiss the subject without expressing my grateful appreciation of the warm and generous support that was given to me as Chief Executive of the State all through these trying times by the press, the Posts of the Grand Army of the Republic, civic organizations and the individual citizen. All realized a sense of danger and were quick to respond with offers of aid. An army of over one hundred thousand strong could have been placed in the field in less than ten days' time, composed of citizens of all ranks, classes and occupations.

Not a greater sustaining power was given to the Executive of any State than by the people of Indiana, and the moral sentiment thus created did much to bring the rioting and lawlessness to a speedy ending. With the danger passed and reviewing the history of the times one can not help but feel a greater pride in Indiana and her citizens.

#### THE INDIANA LEGION.

The military force of the State is composed of four regiments of infantry and one of artillery. There are now mustered in forty companies of infantry and three of artillery, aggregating 2,581 men, and distributed through each section of the State. Under the present efficient management of Adjutant General Robbins and Quartermaster-General Compton, this department of the State government has been brought to



a high standard of excellence. For the first time in this department has the position of Brigadier-General been filled. To this office I appointed and commissioned General William J. McKee, who, with his accurate knowledge of military tactics and earnest interest, has been of great value to the force. Most valuable service in the discipline and esprit de corps of the Legion has been rendered by First Lieutenant Thomas M. Defrees, of the United States Army, who, at my solicitation, was detailed by the general government for service in Indiana.

On the whole the militia is only fairly well equipped, still lacking much that is essential. Conditions may arise among our people, and under our institutions, when it becomes absolutely necessary to exercise the stronger arm of government. It has been clearly demonstrated that a thoroughly organized and well disciplined militia may at times be as necessary in maintaining the supremacy of the law, the safety of organized society, and the well being of the State, as any other department of the Government. Our citizen soldiery contains many of the best young men of the State, coming from all the trades, professions and occupations. They devote much of their time to training and perfecting themselves in this school. When called upon to serve the State, they cheerfully make response. It will not be unbecoming here to say that Indiana militia compares favorably with that of other States, and in proportion to the money expended by the State is surpassed by none. On each occasion when it has become necessary to call them into action, their soldierly bearing, gentlemanly conduct, courteous behavior, and brave, yet tolerant spirit has commended themselves to their fellow-citizens. To both officers and men the highest commendation is due. A Military Encampment was not held in 1894, owing to the active service borne by nearly every company of the Legion; the money that would thus have been expended being used for its better and needed equipment.

Having experienced the annoyance and distress of an inability to promptly pay for service rendered, I hope you may see your way clear to increase the Governor's Military Contingent Fund. As now this fund is but \$2,000 per annum, a sum that ordinarily is more than sufficient, but in case of extraordinary emergencies is wholly inadequate. An official, whose duty it is made by the Constitution to see that "the laws be faithfully

executed," should be clothed with the power to at least promptly recompense those whom he is compelled to call to his aid to preserve the public peace and uphold the supremacy of the law. I would suggest that you increase this fund to \$50,000 per annum, only to be drawn upon warrant of the Governor, and a detailed statement reported to the next General Assembly of the expenditure of such a part as may have been necessary. Normal conditions existing the fiftieth part of this would be sufficient. I think you would have but little cause to fear extravagant or wasteful use of a fund of this kind by an executive.

I would also call your attention to section 46 of an act of March 8, 1889, and ask that it should be amended, so that the military officer in command should have more discretion in giving the order to fire when it becomes necessary, rather than leave him entirely subject to the discretion of the civil officer.

I fully recognize, appreciate and confirm that great principle of our government that the military shall be entirely subordinate to the civil authority. Yet when troops are called into action, they necessarily encounter danger, and the commanding officer, selected for his discretion, judgment and courage, should have some opportunity to exercise these qualities. Through cowardice, lack of judgment, sympathy or other motive, a civil officer could place a company of soldiers in an awkward position, and increase the danger of the situation. To not wait the command of the civil officer, even to protect his command, would place a commanding officer in an embarrassing attitude. It is not difficult to conceive of a condition where in a critical moment the civil officer could be too far in the rear to have his command heard. It could often place the soldier in danger that would be neither just nor right.

The protector of rights, property and lives, should have equal chance with the protected.

A board of officers, appointed to revise the military law, will present to your body a law which it has prepared. It is worthy of your consideration.

The report of the Adjutant General will be placed in your hands. I believe this is the first time the printed report of this department has been submitted to the Legislature while in session.

## EXECUTING LAWS.

The Constitution requires that the Governor "shall take care that the laws be faithfully executed." The authority under which the Governor acts in compliance with this general provision is to be found only in the great body of laws enacted. No specific power is conferred by law upon the Governor by which he is enabled to see to the execution of any particular law. Doubtless the laws as they stand, constitute sufficient authority, for all ordinary contingencies to see to the faithful execution of the laws, but contingencies are liable to arise at any time, and indeed have arisen more than once during my term of office, to which I have directed your attention, and for which the legal processes now provided are hardly sufficient to enable the Governor with promptness and completeness to see that the laws are faithfully executed. On three sides of the State, close to its borders, there are as many large cities with populations ranging from nearly two hundred thousand to a million and a half. While it is true that the vast majority of the population of large cities is composed of law-abiding, intelligent and desirable citizens, it is equally true that such cities attract in large numbers the lawless and the criminal. The police powers of nearly all cities are extended beyond the corporate limits in order to enable them to deal more effectively with these classes. But such powers can not pass beyond State lines. The communities in this State adjacent to these large cities is largely rural in character, with no sufficient organization or provision to enable them to cope with the criminal or lawless classes, when invading their precincts in large numbers.

## SHERIFFS.

In the great majority of counties the Sheriffs elected by the people, who are the executive officers in the counties for the enforcement of the laws, are undoubtedly active, efficient and earnest in the performance of their duties. There are not, unfortunately, wanting instances, however, and this will doubtless always be true, where the approach of an election, friendly association with parties interested, or other means, influence or contribute to a dilatoriness or neglect in the performance of

official duties from which the public interests, the apprehension or prevention of crime, are seriously jeopardized. It is true that in crime there is no politics. The violator of law, governed solely by his selfish desires, or criminal instincts, will use each party through which he may best further his purpose.

Thus, in some counties that may be politically close, it may be sometimes difficult to secure from local officials the earnest assistance that a proper enforcement of the laws imperatively demands, and without which the laws can not be faithfully executed. I therefore recommend for your consideration the propriety of enacting laws:

*First* Authorizing the Governor, in his own name, or in the name of the State, on the relation of the Governor, to institute in the courts actions to enjoin and prevent the commission of any acts against property, public peace, public morals, public health, public policy, or in any violation of any of the statutes of the State, with the authority in proper cases to appoint a receiver for the property in which the illegal acts are being committed, and in this connection of making the law retroactive so as to cover suits already instituted.

*Second.* Authorizing the Governor, or other proper officer, to institute and maintain actions against railroad companies, or other common carriers, to restrain them from carrying passengers for the purpose of engaging in unlawful enterprises, and making the carrying for such purpose a cause for a forfeiture of their franchise.

*Third.* Authorizing the Governor to suspend any Sheriff, or other executive officer of the counties or cities who fails or refuses to perform the duties enjoined upon him by law, for a limited period, and to appoint, temporarily, some person to perform the duties of such office during such suspension. A report of such action, together with the names, to be furnished to the General Assembly at its next session.

*Fourth.* Authorizing the Governor to apply to the court of the county for the removal of any Sheriff, or other executive officer, who shall persistently fail, neglect or refuse to perform the duties required of him by law.

And I recommend that you consider and determine what other or different enactments are necessary and proper in order to more effectively enable the Governor to "take care that the laws be faithfully executed."

## WINTER RACING.

Near the city of Hammond there has been located what is known as the "Roby Fair Association." It is not incorporated under the laws of this State, nor, so far as I can ascertain, of any State, and what is the legal nature of the Association is sedulously concealed. What its actual nature, its purposes and character is without any concealment. It is simply an immense gambling concern, with a racing attachment to give it the appearance of respectability, and draws within our borders the lawless and disreputable elements of Chicago, for a purpose that is not permitted, nor could be tolerated within that city's limits. Its every influence is demoralizing, encouraging vice, propagating crime and thus brings our State into disrepute. Its transactions have been open and notorious, but the authorities of Lake County seem to be either indisposed or powerless to prevent them. I have been earnestly seeking some means, warranted by law, by which this disgrace to our State could be prevented, and although having the able advice, earnest assistance and active co-operation of Attorney-General Ketcham have failed to find the way.

In view of the failure of the Supreme Court to pass upon the Columbian Athletic Club case, and the approaching session of the General Assembly, I have concluded that it was wiser to call your attention to the evil and urge you to provide a remedy, rather than to attempt again to pursue the course adopted with the Columbian Athletic Club.

It is now with you gentlemen and demands your most earnest consideration. The people of Indiana will never submit to have fastened upon them the evils and disgrace that so long cursed some of the Eastern States.

There is in this State a great interest, employing much capital and engaging the thoughtful attention of many of the best and most intelligent citizens. The breeding of horses has assumed vast proportions, and in honest rivalry and contests of speed affords a manly, honorable and legitimate recreation to the general public. Values in this great industry are largely established by the excellence that may be attained and the satisfaction that may be given in fair legitimate contests of this nature. To contend that racing of horses can be humanely or interestingly conducted in this climate during the winter

months, is a rank delusion and a fraud. It is but a cloak to deceive and afford opportunity to conduct gambling on a gigantic scale, and the assembling of disreputable crowds. No one interest will suffer to a greater extent than the legitimate racing as practiced throughout the State in seasons favorable to that sport.

To permit the other serves to bring the whole into disrepute and prejudice. I therefore, in the name of the people, insist that you shall take action upon this subject, and recommend that you make it unlawful for any association within the State to hold such meetings between the first day of November and the first day of April, that no race meetings shall be held within the State, except by Associations duly incorporated under the laws of this State, and that it shall be unlawful to, at the meeting of any association, engage in pool selling, upon any racing other than that conducted upon the day and track the racing is to be held.

#### WHITE CAPS.

The outrages upon the rights of citizens and society, by organized bodies of men, commonly termed "white caps," assuming to redress wrongs and inflict punishment upon real or fancied offenders of the law or moral sentiment, at one time too frequent, I am glad to say, have been during the past eighteen months of rare occurrence. Vigorous measures, so far as the law would permit, have been adopted in stamping out this evil. I have used part of the Civil Contingent Fund of one thousand dollars allotted to this office, in employing counsel to assist in the prosecution, and to secure testimony that would lead to the conviction of guilty parties. Quite a number of such offenders have been arrested, convicted and are now serving sentence in the State prisons. In fact, Indiana has recently been freer from this disgrace than many of our sister States.

There may yet be times when the public, impelled by sudden fury or impulse, may seek to avenge the law, but I do not believe that "white capism," as an organized evil will continue to exist, as it has in the past. Recommendations, which I have made heretofore in granting increased powers to the Governor, will greatly aid him in dealing with this, as in other matters.

## PUBLIC SCHOOLS.

It is justly a matter of pride to every citizen of Indiana, that her system of public education is everywhere regarded as one of the most perfect in the country. The laws relating to the public schools and the common school fund demand your constant vigilance, that no measure may be adopted to impair their usefulness, nor the purposes for which created. The common school fund of the State now amounts to \$9,867,001.59. The total enrollment of scholars in 1893 was 776,963, and in 1894, 808,261. The total revenue from all sources for the school year 1893, was:

Derived from State school tax.....	\$1,983,348 34
Interest collected by counties.....	460,890 88
Interest congressional fund.....	71,819 76
Local tuition.....	592,134 86
Liquor licenses.....	247,991 00
Unclaimed fees and other sources.....	898 56
Total revenue.....	<u>\$3,356,582 90</u>

As previously referred to, the revenue even after the reduction in the levy two years ago of  $2\frac{1}{2}$  cents, under present assessment, is so much greater than that prior to 1892, that I think this levy could be still further reduced 2 cents without injury to the public schools. Our school system has now so extended its scope of teaching, that among its best friends it occasions no little concern as to its future popularity with the people.

At times the question will arise, with some, and with no unfriendly feeling, as to whether we are not drifting away from the original intention when the foundations for this great system was laid, in the higher academic education now introduced into many of our schools, almost bordering upon a classical education. What per cent. of the revenue raised for school purposes goes into this higher education, I have been unable to satisfy myself, but it is no little portion. It was intended to place within the reach of all the children of the State the means for acquiring a good, useful education, and to prepare the ground work for a higher education, should it be desired. With the multiplicity of universities and colleges throughout the State, it is easy for the smaller number of our youth, who have this

desire, to obtain it almost as cheaply as through the public school. To go too far in this direction with the increased expenditure attached, and the advantage availed by so small a per cent. of the entire number of school children, may create a prejudice that will cause the entire system to decline in popular favor. Let us carefully guard against such unfortunate conditions, and deal generously and justly with this one great feature of our State government.

Under the present able and efficient management the State Normal School is enjoying a prosperity never before attained. It is faithfully fulfilling its mission "to prepare teachers for teaching in the common schools of Indiana." The attendance of this School has grown from less than one hundred, in 1870, to over fourteen hundred, in 1894, with students from all but two counties of the State.

From this School there have gone out as teachers 670 graduates and over ten thousand undergraduates, the majority of whom are engaged in teaching. The excellence in the grade of teachers has been vastly increased since the opening of this School, and every township has felt the influence. The officers of this School make their report to you, and will doubtless be examined by you.

#### PURDUE UNIVERSITY.

It is gratifying to note the continued advancement of Purdue University in the enrollment of students, in its wider field of labor, and in popular favor. It is a great school and accomplishing a great work. In 1875 beginning with an enrollment of sixty-four students, it has in 1894 six hundred and eighty-two. To meet the growing demand of the present for higher technical education Purdue University, about ten years ago, added to their course of study a department of Mechanical and Special Engineering. This department has had a constant and rapid growth equaling the demand. A new building, complete in its equipments for this purpose, was erected and dedicated January 19, 1894. Four days later this magnificent structure was a mass of ruins, having been destroyed by fire. But rising above all obstacles, scarcely had the smoke cleared away from the ruins until the indomitable pluck and energy of the President and his coadjutors were laying the foundations for a new



edifice. So little interruption was there to the regular course of study that it was rendered unnecessary for the students to seek other universities and colleges. So great has been the growth of this technical school that it has overshadowed all other departments, causing a regret that one of the original features of this University—the Agricultural—is fast being lost sight of. There should be more importance attached to this department of the education than seems to have been the case for the past few years. Connected with this University are the Farmers' Institutes, which have been productive of much good. The present appropriation for this work, if wisely administered, will probably accomplish better results than if increased. With a larger sum appropriated by the State it is possible that the same efforts would not be put forth to enlist and secure local talent at places where these institutes are held, and there would be a greater inclination to keep in the field only professional lecturers. The greater benefit comes through the drawing out and developing home talent and interest. These institutes should be continued and the present appropriation for that purpose kept in force.

#### STATE UNIVERSITY.

This institution started in the present school year with an enrollment of 638 students. The advance in this University has been gratifying, both in regard to the number of the youth availing themselves of its teachings and the steady extension of its work. It has been a great institution for the State, has done a great educational work, and among its graduates are found many distinguished in the various walks of life. From it have gone many able educators to fill high and responsible positions in noted institutions of the country—from the fact that these institutions were better able to pay salaries and offer opportunities commensurate with the ability of the men secured. Few institutions of the kind, with so little pecuniary aid, possess so splendid a record. That its usefulness in the future shall keep pace with the extension in university study and work, will depend in a large measure upon the aid given it by the State. There is much to be commended in the fractional mill tax for its support, as asked for by its President and the

Board of Trustees, be the University located where it may. The question of removal has been so constantly discussed during the past few months that it could not escape your attention, and may probably be brought before you this session of the General Assembly. Upon the advisability or wisdom of a removal there can be honest and weighty differences of opinion; at least your conclusion should not be hastily reached, and several questions should be earnestly and conscientiously weighed. Is it absolutely necessary that a university of this character to be great should be located in large cities? Considering the history of the State University, what has been accomplished, is it unreasonable to suppose that with proper aid it could be vastly more successful, even if located in smaller cities or rural communities?

The State already has considerable investment in buildings which would be greatly sacrificed unless due compensation be made to the State by the community to which the removal would be made. Besides, there are certain rights which should not be ignored, of the people among whom the University has so long been established and located. Undoubtedly the citizens of that community have made great sacrifices in behalf of the University in which they have felt so much pride, and to whom its loss would be serious indeed. Their rights, whatever they may be deemed to be, should be justly and fairly considered. Nor should it be forgotten that a removal of the University will necessitate an enormous expenditure for buildings and equipment, should these be in accord with the reasons urged for its location at some other point. Your concern should solely be for the interest of the people and the welfare of the University.

I would at least suggest that the appropriations for additional buildings and improvements, called for by the Board, should be carefully counted until this agitation is definitely settled.

## ACADEMY OF SCIENCE.

In connection with the educational work of the State I would direct your attention to another institution, whose work and influence is in general along the same line, has existed for a number of years in a condition of commendable activity without any recognition or aid from the State. I refer to the Indiana Academy of Science. The organization of this body grew out of the public spirit of a comparatively small number of men, but within a few years it has so grown in numbers and its work has been of such a character as to command no little attention from the thinking public.

It gives yearly a great service to the State, by investigating and advertising the natural resources of the State; by investigations of and acquaintance with problems of scientific interest in the State; by collating the results of work in order to prevent duplication, or the waste of time upon unprofitable material or unwise methods; by the reputation given to the scientific and other educational interests of the State. This organization needs, however, in order to insure its continued and prosperous existence an established relation to the State, and some moderate provision for the publications of its valuable contributions to knowledge. Such recognition is given to similar organizations in many other States, as also in nearly every civilized country of the world. The field which the Indiana Academy of Science covers is so wide that there could not be the same objection that might hold against societies organized for the promotion of any special department of science. So broad is its scope that it includes all science and much of its work thus far has been in the direction of the fauna and flora, the mineral resources, topography, geography and meteorology of the State, while questions relating to hygiene and sanitation have received much attention.

If properly fostered there is reason to believe it would become a strong educational force of the State, and certain to contribute much to the material prosperity of the people.

The cost of such aid will be comparatively insignificant. This organization desires only means for the publication, illustration and distribution of the results of the work it is so generously willing to do, and to be provided with a room for

headquarters in the State House. I recommend the enactment of such legislation as will bring about these desired ends.

#### THE STATE INSTITUTIONS.

The administration of the affairs of the several public institutions for the past two years has been on the whole satisfactory and commendable. They have been managed with cleanness, ability and economy. The Boards of Trustees have, as a rule, been composed of men of good business qualifications, judgment and integrity. Nearly all are men of affairs, either conducting successfully extensive personal business, or entrusted by others with the management and direction of positions of responsibility, and large business interests.

The aim has been to conduct the institutions of the State on sound business principles, in accordance with the laws governing such cases. I believe an impartial judgment will concede this to be true. There has never been a time in the history of these institutions when they have been so crowded to their full capacity. Generous but not extravagant care has been given to all inmates, and on the average at a less per capita cost than usual, humane treatment accorded to all, and a singular freedom from the petty scandals, usually connected by rumor, and so often cruelly false, with public institutions.

#### STATE PRISON NORTH.

There were 841 prisoners in this prison October 31, 1893, and 908 same date, 1894, an increase of sixty-seven. Never before was so large a number in this prison, and these crowded into 760 cells. The cells will only comfortably accommodate one. With two inmates the effect is bad, resulting in injury to health, and fearfully destructive of discipline. This should be remedied. The last Legislature made specific appropriations for improvements and repairs, amounting to \$33,300. The work designed has been completed, and there remains unexpended of these appropriations the sum of \$1,038.65.

That a superior water-works plant has been constructed, supplying an abundance of pure water from deep driven wells, capable of affording sufficient fire protection; that commodious buildings for dining hall, chapel, kitchen and bakery have been

erected; cement walks and other improvements completed within the appropriation and less than estimated cost, speaks well for the energy and ability of the Warden and the Board of Directors. The strictest economy has been exercised in all outlays. During the past two years the prison has been self-sustaining, and shows a net surplus of earnings of over \$21,000 covered into the State Treasury.

The net earnings for 1894 were much less than for the preceding year, owing to inability to renew expiring contracts, and a consequent greater number of idle men. This great number of idle prisoners, over three hundred and fifty, presented a vexing problem, with the consequent increasing sickness, and difficulty to maintain proper discipline. With a shop provided the difficulty could be more easily overcome, and in answer to the increasing demands to provide employment, I advised the construction of a new building for this purpose, after consulting with the Auditor of State and the prison authorities, without the delay of waiting for the assembling of the Legislature, as the earnings of the idle prisoners in that time would fully pay the cost. This building, one of the most substantial of the kind, built of brick, large and well adapted for factory purposes, was erected at a cost of \$9,189.79, which has been paid for out of the earnings of the prisoners employed. I ask you to approve its construction. The increase in the annual appropriation for this prison must of necessity be increased. The present appropriation was fixed when the number of prisoners were three hundred less than must be accommodated now. The recommendation of the Warden that his annual appropriation be increased in the sum of \$20,000 is just, and I concur in his recommendation. For other needs and wants of the prison I would refer you to his report.

#### STATE PRISON SOUTH.

The general and physical condition of the State Prison South has never been better than at the present time. The new wall begun several years ago has been finished. It is a massive, yet symmetrical work, not only adding to the security of the prison, but also giving a more sightly and pleasing appearance. It is believed to be one of the best structures of its kind in the country, and built entire with convict labor.

In March, 1893, this prison was visited by a disastrous fire, wholly destroying two of the large buildings and seriously damaging two others. In addition to the distressing inconvenience caused, a large number of prisoners were thrown out of employment, to join the many that were previously idle. With commendable activity the Warden and officials repaired the loss, and erected two new buildings of brick and stone. But for this fire it is probable this prison would also have been self-sustaining. As it is, the report of the Warden shows that with all bills paid the excess of expenses over earnings will be \$7,840. All things considered, a fair showing. The number of prisoners at the present time number 770, an increase over previous years of fully 10 per cent. As in the Northern Prison, the annual appropriation heretofore was based upon a smaller prison population, and must needs be increased to meet the demands of a larger number of convicts. For detailed information please read the report of the Warden and officials.

#### PRISON REFORMS.

It is the law of the State that prisoners shall be employed upon contract labor. A natural complaint arises from free labor as to reduced prices upon similar manufactured articles by convict labor. So long as the present law exists, the prison officials have no discretion in the matter, and must comply with the law as they find it. The instincts of humanity dictate that prisoners should not be kept in idleness, for it is the fruitful source of sickness, insanity and disgusting practices, demoralizing in the extreme. On the one hand there is an injustice to free labor, on the other an outraged feeling of humanity. It is a subject worthy your serious investigation. I am free to confess that I am unable to offer a solution to the problem that is satisfactory to myself.

The steadily increasing number of criminals sent to overflow our prisons will soon confront us with the necessity of enlarging the prisons or providing some other means for their custody. It has occurred to me that it would be wise to so revise the penal code in that jail sentences for lighter offenses, or first offenders, should be extended so as to cover a large number of cases. As it is, when jail sentences would be seemingly justifiable, too often, to avoid expense to the county, criminals

are sent to the penitentiary. Again, the necessity of enlarging our present State prisons might be avoided by establishing intermediate prisons, or industrial schools, for youthful offenders.

In such prisons or schools a large number could be sent to learn useful trades, relieving the two prisons we now have, and giving greater hope of reformation to the youthful criminal.

Another crying need, in the way of prison reform, is in the treatment of the insane convict—either demented at time of sentence or becoming so during imprisonment. Proper treatment and care can not be afforded these unfortunates, as our prisons are at present constructed and managed. Either the laws must be such that would authorize the transfer of insane convicts to the State Insane Hospital, or provision made for their separate confinement and treatment at the prisons. It is not creditable to our civilization nor humanity that they be kept as at present.

#### REFORM SCHOOL FOR BOYS.

The twenty-eighth annual report of the Indiana Reform School for Boys comes before you, relating the success and progress for the past two years. At the end of the fiscal year October 31, 1894, there were 513 boys in the School, receiving an education and being instructed in some useful trade, with the hope that when dismissed they may become good and valued citizens. I refer you to the very interesting and comprehensive report of the Board of Trustees and Superintendent for a history of this School and its work for the past two years.

#### REFORM SCHOOL FOR GIRLS AND WOMAN'S PRISON.

The twenty-third annual report of the Reform School for Girls and Woman's Prison contains nothing new nor eventful. Matters have progressed smoothly, and the management has been satisfactory and economical.

There have been fewer commitments in both departments of this institution than for many years past. A condition truly gratifying, if it is owing to the fact that women are not growing worse. There were 152 girls in the reformatory department November 1, 1894, and 46 in the Woman's Prison. The improvements made have been necessary and beneficial. I

would especially direct your attention to the demand for new boilers and a new boiler house, as stated in the report. The appeals of Boards of Trustees of Institutions for remedying defects that endanger health and life should not be lightly considered. I believe you should make necessary appropriation to meet this demand.

#### EXECUTIVE CLEMENCY.

A full report of all cases of pardon, reprieve and commutation granted, and the remission of fines and forfeitures, which I have granted, will be furnished you as required by the Constitution. During the two years of my administration, ending January 1, 1895, I have granted sixty-three pardons, forty-four paroles and sixty-eight remissions of fines and forfeitures. I have also commuted the sentences of twenty-one prisoners, nearly all of which were in the cases of youthful prisoners, sending them to the Reform School for Boys. Of the above no less than twenty-four of the pardons were to prisoners in the last stages of disease and affording gratification to their friends to have them die outside of prison walls and within the sacred precincts of home.

Many of the other pardons were to young convicts, from two to four months before the expiration of their term of sentence, punished for first offenses, hoping it might have a good effect upon their future life.

In no case have I granted a pardon or parole without full and careful investigation that would warrant me in the exercise of clemency. So far I have had no cause for regret, having the satisfaction of knowing that none have abused the clemency extended, and have, so far as information has come to me, resumed the life of useful citizens. Our prisons now contain a larger amount of convicts than at any time in the history of the State. As we grow in population crime seems to increase in greater proportion. The applications for pardons have been filed in my office to that extent that it has become burdensome in the extreme, consuming much of the time that should justly be devoted to other business of equal or greater importance.



## INSTITUTE FOR THE DEAF AND DUMB.

The report of this institution shows that there was an actual attendance of 286 pupils, November 1, 1894. The health of the pupils had been good until the past few weeks, measles appearing in epidemic form. Fortunately it has not been of a violent type, and with no fatal results. There has been a large falling off in the number of pupils enrolled, the Superintendent expressing the opinion that it is to be largely attributed to the "foolish whims of the child, or to the neglect or cupidity of the parent."

This leads him to the recommendation for compulsory education of deaf mutes, in which I concur. The people of Indiana have generously provided means, whereby these afflicted children may be educated, taught some useful trade and thus be possessed of the ability to maintain themselves. Educated and properly trained the deaf mutes may, and most generally do, become useful citizens. In April, 1894, this Institution sustained a serious damage by fire, and which it was unable to remedy out of its maintenance or repair fund.

Sixty boys were thrown out of their usual quarters and crowded into other space that could be illy spared. The Board conferred with me, and after estimates were rendered for temporary repair of the damage so that the rooms could be used until the convening of the Legislature in regular session, showing the cost would be nearly \$2,000, and the amount required to restore them in a permanent and substantial condition, or as they should be, was but a fraction more than twice that sum, I advised the latter course. The Board adopted this plan, and have restored the buildings in good condition at a cost of \$1,386. I believed then, with the Board, and still believe, that it was the best thing to do, and ask you to appropriate the above sum to relieve the indebtedness incurred.

## INSTITUTE FOR THE BLIND.

There is nothing beyond the ordinary to report of the Institute for the Blind. The general health of the pupils has been normal. Recently quite a number of cases of measles, fortunately in mild form, but with prompt and requisite treatment administered, no serious results feared. The year has been a

prosperous one to this institution, and many needed improvements and repairs made.

After four years of faithful and efficient service, Professor E. E. Griffith resigned as Superintendent, and Professor W. H. Glascock was elected by the Board of Trustees to succeed him. The enrollment of pupils for the present school year numbers 152.

#### SOLDIERS' AND SAILORS' ORPHANS' HOME.

The Soldiers' and Sailors' Orphans' Home, one of the most interesting of the charitable institutions of the State, has had a prosperous, quiet, uneventful year, closing with 644 children in its care.

Last winter diphtheria prevailed at the Home, and out of forty-two cases, three proved fatal, a surprisingly small per cent.

The officers of the Institution believe the annual maintenance fund should be increased \$10,000 per annum. The Home has not a sufficient supply of pure water, and no adequate protection against fire. I concur in their appeal for a sum sufficient to remedy this want.

#### SCHOOL FOR FEEBLE-MINDED YOUTH.

The report of the Indiana School for Feeble-Minded Youth, to which I invite your attention, shows this school to be in a satisfactory condition. The zeal and earnestness of the Superintendent, with the sympathetic co-operation of the Board of Trustees, has contributed much to its present high standing. The trustees have conducted the affairs of the School within its income. There was an increase in the number of pupils during the past year of thirty-three. The total number cared for at this time is 488. The experiment in dairy farming during past year has proved satisfactory, the receipts exceeding the expenses. Aside from the pecuniary consideration, it affords a healthful, pleasant and needed work to the pupils. The success is so gratifying that the recommendation to purchase a farm for the use of the School merits your consideration.

**CENTRAL HOSPITAL FOR INSANE.**

The report of the Board of Trustees and Medical Superintendent for the Central Hospital for the Insane demands your especial care and thought. It is by far the largest public institution in the State and surrounded with the gravest responsibilities. More than one-half the insane patients receiving the care of the State are gathered in this hospital. The number of patients at the close of last year was 1,498. In June, 1894, the laundry was struck by lightning during a violent thunderstorm, and in despite of every effort the building—a wooden structure—was consumed by fire. The machinery and a large amount of clothing of the inmates were lost. Upon the building the Trustees had providently carried \$6,000 insurance. With the large number of patients to care for, this was a more serious loss than would ordinarily be felt in public institutions. The exigencies of the situation would permit of no delay. The Board of Trustees, together with the Superintendent, conferred with me, and it was decided that the building should be replaced without waiting to report to your body. A substantial brick laundry, fire proof, is now nearly completed and ready for occupancy. There have been much needed improvements made on buildings and grounds. A large part of the buildings are quite old and need repairing. It will be unwise and false economy to delay these longer. I especially agree with the officers in their recommendation for painting and plumbing. You can not afford to do otherwise than to make a sufficient appropriation for the repair of this institution.

**EASTERN HOSPITAL FOR THE INSANE.**

The report of the Eastern Hospital for the Insane shows that its capacity to receive patients has been reached. The number of patients during 1893 was 422, and for 1894 431. The district tributary to this Hospital embraces sixteen counties, and it is estimated that there are now 160 insane people needing treatment in this district, an average of ten to the county, who can not be received. Many of these are in the poor houses or confined in the county jails, quite a number probably curable if given immediate hospital care.

Indiana has practically declared that it is the duty of the State to care for the insane. I would ask your prompt attention to the recommendation of the Medical Superintendent for additional room.

Fortunately this Hospital is so constructed that an increased capacity can be obtained much below the cost of establishing a new hospital. Especially do I commend the suggestion that a separate building be provided for the treatment of tuberculous patients apart from the others, owing to its infectious nature.

#### NORTHERN HOSPITAL FOR INSANE.

The managers of this Hospital have made many improvements, and through the economical expenditure and judicious management of the moderate appropriation therefor have increased its capacity to care for 506 patients instead of 398 before the addition was made. The repairs, and betterments, and extra furnishings, entailing considerable outlay, has been carried through, which only strictest economy in managing the various funds would have permitted. The number of inmates were 440 for October 31, 1893, and 507 for same date in 1894, an increase of sixty-seven for past year. With the additional inmates also comes the necessity to proportionally increase the annual maintenance. I think the suggestion that officers and employes in hospitals for the insane be exempted from military and jury duty and working the roads will commend itself to your judgment without argument. The future needs of this Hospital are set forth in the report.

#### SOUTHERN HOSPITAL FOR THE INSANE.

Extensive improvements in the grounds and surroundings of this Hospital have added materially to their beauty and health. It has been a battle with nature in a certain sense, but energy and judgment of man have triumphed, and through drainage and better sewerage a more perfect sanitation secured. A system has been adopted that will in the end make the general landscape attractive and pleasing. A feature introduced will have, if continued, a beneficial effect upon the care of the insane, difficult to calculate. This is in the training of attendants, by means of a training school, to fit them for the arduous

and delicate duties they have to perform. Nowhere are the services of skilled nurses and attendants more needed than in a hospital for the insane.

In the death of Hon. Solomon Gimble the Board lost a valued member. He was well fitted for such a position. I appointed as his successor Mr. Samuel B. Boyd, who brings to the discharge of his duties an earnestness and interest in the work that bespeaks well his usefulness. The capacity of this Hospital is not adequate to care for the insane in the district tributary to it. There were 424 patients at the close of the last fiscal year.

#### INSURANCE.

I am constrained to commend to you the policy of insurance upon the buildings of our public institutions. Considering the insurance that Purdue University had upon her splendid hall destroyed by fire, the destruction of the laundry at the Central Hospital for the Insane, and the serious loss by fire occurring a short time ago in the Woman's Prison and Girls' Reformatory, upon all of which there was insurance, limited, it is true, yet affording means to immediately begin the repairs of damages sustained, seems to me to commend the policy.

This insurance should be held by the Trustees of these institutions to one-half their value, so that a fund could be had to begin work without being compelled to await the assembling of the Legislature to appropriate the money required. Some few of the institutions carry a small insurance, others none at all, because no provision has been made by law for this purpose.

#### STATE BOARD OF HEALTH.

The last General Assembly enacted a law for the purpose of preventing the introduction of and spread of cholera and other contagious and infectious diseases within the State, and placing a fund—commonly known as the "Epidemic Fund"—at my disposal of not exceeding fifty thousand dollars in any one year. This was prompted by the dread of a possible invasion of cholera. Fortunately we were spared this evil, but August 19, 1893, smallpox appeared in the city of Muncie, and soon

assumed the form of a violent epidemic. This not only occasioned great distress to the citizens of Muncie, but created widespread fear throughout the surrounding country and adjacent cities. A heavy expense was entailed upon the city of Muncie to quarantine infected districts within its limits, but it soon became evident that the public at large should have some safeguards established. Therefore, from time to time, keeping fully advised by the State Board of Health and the local Board of Health, I drew upon this fund, so placed at my disposal, to the extent of \$3,400, as the part that I believed necessary to aid the city of Muncie in preserving a strict quarantine.

During the year 1894 there were a number of localities in the State where smallpox again occurred, requiring frequent visits of the officers of the State Board of Health and the enforcement of rigid rules to prevent the further spread of this disease. It had also assumed an alarming condition in the city of Chicago, and it became a question as to whether this State should not establish quarantine regulations as to that city. With my advice, the officers of the Board of Health made a thorough investigation of the situation at Chicago, and set on foot precautionary measures in the northwestern section of the State.

This entailed an expense upon the Board that it was unable to meet out of its ordinary appropriation of \$5,000 per year. Consequently the extra expense incurred in making these investigations by and with my consent, and as I believe necessary, I paid by warrant on the Epidemic Fund for \$917.21. In the two years this fund has existed, I have thus drawn upon it in the sum of \$1,317.21.

The State Board of Health has been active and alert in meeting threatened dangers, and through its labors are constantly bringing to the public mind the importance of more perfect sanitation. The appropriation which has heretofore been made to that Board has been found to be inadequate, and should an extraordinary condition confront them, would be helpless to render effective service. Their appropriation should be increased. I would also suggest the wisdom of leaving the law creating the Epidemic Fund in force.

## BOARD OF STATE CHARITIES.

The closer my acquaintance with, and means of observation of the work of the State Board of Charities, the more am I convinced of its value to the public, to the public institutions, and to the Executive of the State. Their labors have been performed with a conscientious and painstaking care that is in the highest commendable. As its importance becomes better understood, so increase its duties and its labors. This Board should have an additional allotment of \$1,000 for its use, because of the increased work it is called upon to perform. The members of the Board receive no compensation for their time, only having necessary traveling expenses paid. Mr. Stoughton A. Fletcher and Mrs. Cornelia C. Fairbanks, who had served with disinterested ability and fidelity upon this Board from its earliest organization, resigned from the Board. To succeed them I appointed Demarchus C. Brown and Dr. Mary Spiuk.

I commend to your careful investigation the very able and interesting report of the proceedings of this Board, which is before you.

## STATE BOARD OF AGRICULTURE.

Unquestionably, in the past few years the State Board of Agriculture has made great improvement in the general principles governing it in the conduct of its affairs. Especially has this been noticeable in the recent expositions held. There seems to be a livelier disposition to keep abreast with the times, and move in more perfect harmony with the advancing thought of the farmers of the State. In few of the occupations in which our citizens engage has there been a surer, steadier advance than in that of agriculture. The farmers of Indiana have become of broader, more liberal thought, reading, thinking men, of general information upon not what concerns their interest alone, but all interests that radiate from, or find a common center in the results of their labor. The State Board of Agriculture has responded to this in a cordial way, and to-day more than ever has become the exponent of this more liberal thought, and as a consequence disseminating a greater and more useful influence.

In 1893 the exhibition was held by the Board under circumstances that would have discouraged men with less energy and courage. They triumphed over these difficulties, and in 1894 met with a success both gratifying and deserved. The Board has purchased beautiful grounds, and become permanently established near the city of Indianapolis. The buildings erected are attractive and meeting modern demands. The race track is one of the best in the country, and affording healthful, orderly amusement to visitors.

The land purchased was not sufficient for the public demand, and the character of the exhibitions given. Additional ground was leased, which the Board believes should be owned by the State. I am of the opinion this should be done, but if purchased it should be owned absolutely by the State, and in case the State Fair should from any cause be removed from its present location, the land to become the property of the State, and to be disposed of as the State should direct. The land so purchased could be leased to the Board of Agriculture at a mere nominal rent. It should be the duty of the State, as well as its pleasure, to encourage this department.

#### HORTICULTURAL SOCIETY.

In a quiet, unassuming way the Indiana State Horticultural Society is accomplishing good results. It is composed of some of the most intelligent citizens of the State, and is doing a good work. Its reports are made up of intelligent and interesting papers.

As our State grows in population, the usefulness of this Society will be more appreciated. The work of the horticulturist is not only useful and of considerable commercial value, but tends to the health and beautifying of our country homes, with attendant refining influences. The annual appropriation to this Society should be continued.

#### FORESTRY.

Indiana is fast leaving behind the age when her magnificent trees and forests are considered simply incumbrances of the soil. The necessity that was with our fathers to cut down and destroy the forests, to open up a farm and build a home, no longer exists with us.



On the other hand intelligent thought is turning to the problem as to how best to secure a partial restoration of former timber growth. While fifty years ago it was probably true—no exact and accurate statistics at hand—that nearly seventy per cent. of the surface of Indiana was covered by a splendid and unequaled forest growth, it is also equally true that now less than twenty per cent. is so covered.

More wealth has gone out of the forests of Indiana than from her coal mines and quarries of stone. Where the latter has been exhausted it can not be replaced, but in the case of the former with prudent care and intelligent foresight could have restored a considerable value. What the effects of forest destruction may be upon extreme drouth, sudden and destructive floods and loss to fertility of the soil, while I am a believer in the seriously damaging effects resulting therefrom, is a scientific question which I do not propose to discuss in this paper. I merely mention these to suggest the thought, should you consider it worth further consideration. What may be done to preserve what we have, and prevent its reckless destruction, to repair the waste of the past, and provide for the future, is the question. On a larger number of farms in the State there are more or less acres not susceptible of cultivation that could again become profitable in the growing of valuable timber.

Would it not be wise to encourage the planting of trees on such lands, for utility and commercial value, not for ornament, as well as to encourage the preserving of a large part of that which is left by a system of reward or bounty, in for instance a full or partial exemption from tax. A large number of the intelligent citizens of the State have considered this a matter of importance. Recently an intelligent discussion of this subject was had in the Board of Trade of Indianapolis, resulting in the adoption of a resolution directing public attention to its importance, and I commend it to you.

#### HIGHWAYS.

There will probably come before you numerous measures concerning the improvement of roads. There are few questions of greater importance that will engage your attention, and is being widely discussed by the people of the entire

country. National and State Road Congresses are being held, the discussions taking a wide range, and many of the remedies proposed would doubtless accomplish the result. I fear, in too many of the propositions, that, in the desire to secure improved roads, due consideration may not be given to the cost, nor that class of our citizens—the farmers—upon whom will necessarily fall the heavier burden in the expense of construction.

I do not underestimate the value of a system of good roads to the public, and believe there is great need for such improvement, but in the framing of laws to further this end, the interests and desires of those who will at last have the cost to bear should be chiefly considered, especially at a time when the profits from farming are not so large as they should be.

Plans devised by associations of civil engineers, cyclist clubs and road congresses may be good—in theory, the best—but *not* always based on the ability of the tax-payer to pay.

In my inaugural address two years ago, referring to this same subject, I said, "The foundation of all true prosperity and wealth rest more largely upon agriculture than any other interest that engages the attention of our citizens. It should be our duty to encourage and foster this, and hold to a careful avoidance of placing any additional burdens upon this interest. For in its prosperity rests the common prosperity of all.

"The old law has many valuable features that commend themselves to the people, and is not a bad law if properly enforced. The people themselves are responsible largely for its deficiencies, owing to the laxity in its enforcement. A healthy public sentiment to encourage officials to faithfully carry out the provisions of the present law would overcome many of its supposed defects. There should be enacted no law that will add to the burdens of this tax, nor the management so far removed from the people, as to deprive them of the right to 'work out,' as it is termed, the tax so collected, if this is desired." In this day of electricity we may reasonably expect in the near future electric lines to branch out through the country. A law should be enacted restricting County Commissioners in their right to grant rights of way along our public thoroughfares, to their injury and ruin for the travel of those compelled to use them, and who have borne the cost of their construction.

## THE TAX LAW.

Time and experience has approved the wisdom of the Tax Law of 1891. It met with active opposition from a large and influential class of our citizens and tax-payers, and causing expensive litigation to the State. But in all the courts its validity has been sustained, from the lower courts to the Supreme Court of the United States. The application of this law was the means of adding considerably, and justly, to the taxables of the State. Property not heretofore properly assessed, or not assessed at all, was placed upon the tax duplicates, adding millions in value to assist in the burden of tax, and relieving the burden to the tax-payer who had been more fully assessed upon his property. By means of this law annual deficits in the State treasury have ceased, the State debt is being extinguished and rendering a lower levy possible for State purposes. Indeed there is reason to believe that a reduction in the levy could be made in all the counties, unless for the most extraordinary local necessities. While the law has been sustained by the courts and indorsed by the people, yet there are a few points wherein it could be strengthened, or at least its provisions more clearly defined.

In the matter of Building and Loan Associations it should more clearly state what part of the funds of these associations should be exempt from and what part rendered for taxation. The inspiration originally bringing into life these associations was worthy and just. To provide safe investments for small savings, either in weekly or monthly installments, and to provide means for securing or building homes was the original intent. But they have outgrown this feature to an alarming extent and have assumed the functions of banking, and in some instances on quite an extensive scale. It has become so that capital seeks investment in these associations, and through paid-up shares or certificates draw their interest semi-annually and large sums of money thus evade taxation. I believe the *bona fide* subscriptions of stock, to be paid for in weekly or monthly installments, should not be taxed. But there is no just reason why all other interest or profit sharing paid-up shares or certificates should not be taxed, as is money loaned by the individual or the bank.

There has been too great inequality in the assessment of banks of similar character, and like value by local boards. Bank stocks of equal value should be assessed in one section of the State as assessed in another. There can be, and should be, more uniformity in the assessments of this class of property.

#### GREENBACKS.

The Fifty-third National Congress enacted a law giving to the State the right to assess for taxable purposes the national currency commonly styled greenbacks. Through opportunities afforded heretofore by law exempting this money from taxation millions of dollars annually have both honestly and dishonestly evaded their just share of the burdens of tax. It is your duty to avail yourself of the right thus granted to enact a law for the assessment and taxation of this class of property. I believe it will add to the tax duplicates of the State not less than fifteen millions of dollars that has heretofore honestly avoided taxation, but as many millions more that has heretofore been evaded under false claims.

#### FEEES AND SALARIES.

In response to a needed and demanded reform, the General Assembly of 1891 enacted a law regulating the fees and salaries of State and county officers. Through a clerical blunder, whether intentional or otherwise, the purposes of this law are liable to be defeated. The recent decision of the Supreme Court of the State relative to this law places it in the condition which calls for your earnest consideration. That the public demands this law to be perfected so that it may stand the test of the courts there can be no doubt. It therefore becomes your duty to remedy the weaknesses or inequalities of this law at the earliest possible moment. While it is right and proper that no greater amount should be taken from the people in the way of fees and salaries than is necessary, yet the public will be found to be just and willing to allow compensation, but no more, which will give efficient and reliable service. This law should be just to both the official and the public and should not be delayed in the time of taking effect.

## COMMISSIONER OF FISHERIES.

More and more each year are the people turning their attention to fish culture and the preservation of fish in our streams and lakes. Few sections of the country have been so bountifully provided with the natural resources for the production of game and food fishes. We have numerous streams and beautiful lakes. Originally these abounded with fish, affording the finest sport and the choicest food supply. It would be difficult to estimate the value this would be to the people of our State had our laws been such as to have provided proper protection. Our fish laws have been confessedly defective, and the means of enforcing, such as we have, utterly inadequate. Our farmers are taking a livelier interest in this industry, for such it is and has become, resulting in a profit to them financially and furnishing a healthful and economic food.

The last report of the Fish Commissioner, Prof. Philip H. Kirsch, will be furnished you. He makes a commendable showing for his meagre allowance. His recommendations as to changes and amendments of the laws bearing upon this subject are worthy your consideration. I would urge you to appropriate a sum for the use of the Fish Commissioner, the enforcement of the laws, and the preservation of our fish, at least commensurate with the importance of the work. This amount should be five thousand dollars, of which fifteen hundred dollars will be the salary of the Commissioner, that he may devote his entire time to the work. To continue as now is a mockery, and if not properly recognized, this department might as well be abolished.

## METROPOLITAN POLICE.

Under the requirements of the act of March 3, 1893, providing for the appointment of a Board of Metropolitan Police in cities of ten thousand inhabitants, according to the United States census of 1890, I appointed commissioners for the cities of Anderson, Elkhart, Jeffersonville, Lafayette, Logansport, Michigan City, Muncie, New Albany, Richmond and South Bend. These commissioners were selected from the representative business citizens of each city, and I am pleased to say that their management of the police affairs of their respective

cities has given such eminent satisfaction that there seems to be no disposition to return to the old system. It has removed this department of a city government so far beyond the control of partisan political influences that I believe the law meets with general approval.

#### WORLD'S FAIR.

In the great Exposition of the World, at Chicago, in 1893, the glory of which has been spread throughout the land, and I shall here attempt no extended description, Indiana held a most enviable position. The Commissioners appointed by my predecessor ably and faithfully discharged their duties to themselves and the people of the State. Their work has ended as to the Commission, and the closing details are now being wound up by Prof. J. L. Campbell, President, and Mr. Fred. Hayden, Treasurer of the Commission. There will be a small amount to turn back into the treasury, the precise sum I am unable to state. It is to be hoped the report will be presented to you before the close of the session. As one of the requirements of the law, the furniture was returned here, which I have distributed to the various State institutions, except a small portion that was difficult to divide, which I have had placed in the Executive parlors, where it was needed. There will be much valuable material in the report and papers, which will be submitted, and which I hope you may order to be published.

#### JENNINGS MONUMENT.

By an act of the General Assembly of March 8, 1893, there was appropriated the sum of five hundred dollars for the erection of a monument over the grave of Jonathan Jennings, first Governor of Indiana. To carry out the instructions of the act, I appointed, as Commissioners to direct this work, George H. D. Gibson, H. F. Work, and M. B. Cole, of Clark County. These gentlemen have discharged their trust with rare fidelity and ability, cheerfully devoting their time to this patriotic labor.

The Commissioners found that the ground upon which Governor Jennings was buried was neglected, uncared for, and out of the way, beside the title to which was in dispute. With

commendable judgment the Commissioners removed the remains of Governor Jennings to the beautiful burial ground at Charlestown, where, in a prominent place, now rests the remains of Indiana's first Governor.

Over the grave there is now erected a simple, yet handsome, monument of granite, which bears the following inscription :

IN MEMORY OF

JONATHAN JENNINGS,

First Governor of the State of Indiana.

*Erected Under an Act of the General Assembly,*

*1893.*

A patriotic duty has been well performed by the Monument Commissioners, and just honor paid to the memory of on who, through his distinguished services, helped to lay the foundation of a great State.

#### SOLDIERS' HOME.

It is well understood that a measure will be presented to you for the establishment of a Soldiers' Home, near the city of Lafayette, the public spirited citizens of that enterprising city having secured and donated a tract of land for that purpose. I have not been fully informed as to the provisions contained in the bill to be presented you, and it may not as yet have been perfected.

The motive inspiring it is most laudable, if it is to provide homes in their old age, for the wives of the old soldier, as well as the veteran himself. They are deserving of a kindlier consideration than has usually been allotted to them by the general public. While the husband in his march to the front may have incurred the imminent danger of losing his life, yet with him was the excitement of march, camp and battle to sustain, while to the wife, just as true to her country in a loyal devotion, there was the constant daily sacrifice, the patient suffering, and the agonizing suspense, in the quiet of home. The husband's and the son's patriotism, devotion and sacrifice, was not greater than that of the wife and the mother, and equally deserving a nation's gratitude.

In the poor houses of the State there are now fourteen hundred and fifty men who were old enough to have been soldiers in the war. It would be safe to estimate that probably three hundred and fifty of these were soldiers. How many of these may have wives I am unable to form an estimate. Should you decide to appropriate a sum for this purpose, you should know within a reasonable certainty, the number to provide for. In using the people's money you may afford to be generous, yet never reckless, wasteful nor extravagant. To enter upon this work, or any other similar work otherwise than in a systematic, business way, with a thorough knowledge of the needs required, would be unjust to the people, and especially so to those who are sought to be benefited. To arouse the belief that the public money had been squandered without care or consideration would be to clothe the undertaking in disfavor and prejudice. However laudable or praiseworthy the measure in itself may be, you should proceed with caution. The people are easily satisfied if they believe they have value received for their money expended.

#### CHICKAMAUGA.

The United States Government some time ago determined to convert the battle-fields around Chickamauga and Chattanooga into a National Military Park. For this purpose it has purchased over seven thousand acres of land, to be restored to its condition at the time of battle, and is now laying out and building roads through this historic ground, and through the National Commission to locate the positions occupied by the different brigades, regiments and divisions of troops engaged in these hotly contested battles. This can only be correctly done through the aid of the active participants in these battles.

The different States represented by troops were called upon to appoint Commissioners to aid in the work and accurately locate the positions held by their troops. Nearly all the States responded to this call and appointed Commissioners. In these, in many respects, the most brilliant and fiercest of the war, Indiana stood second in the number of troops engaged from several States. No prouder record has been or could be made than by Indiana soldiers on these fields.



Recognizing the importance of such a commission in preserving the history of our troops, I appointed Commissioners to represent Indiana. The Commission organized by electing General Morton C. Hunter, chairman, and General James R. Carnahan, Secretary, of the Commission. In October, 1893, the Commissioners met the National Commission at Chickamauga and devoted more than a week to this worthy and patriotic duty. The following May they were again compelled to visit the field. So far as it has been possible they have done their work well, but it is not complete, and can not, owing to the nature of the work, be completed without another inspection of the country. With them it has been a labor of love and patriotism. At the time of commissioning these gentlemen I informed them there was no fund from which they could be compensated, but requested them to keep an account of actual expenses, so that I could report it to your honorable body for such action as you deemed best. In their report to me, a most interesting and comprehensive one of their labors, they report this amount of expense at \$849, for which I believe they should be reimbursed. I would also ask that the commission be continued to complete the work until the positions occupied by Indiana troops may be located.

This great Military Park is to be dedicated September 19 and 20 of the present year—the thirty-second anniversary of the battle—by the General Government with fitting ceremonies. It is desired by the War Department and National Commission that each State having troops engaged in these battles should be represented. I suggest to you the propriety of setting aside a sum sufficient to complete the survey by the Commission and to have Indiana represented at the dedicatory exercises.

#### SHIP CANAL.

The increased interest now existing in the United States on the subject of improvement in waterways, especially the connection of the Great Lakes with the Mississippi Valley, warrants my calling your attention to this subject for such action as you may consider expedient. The day is coming, if not already here, when the thought of the people will be directed to utilizing this means of transportation and shipment of freight. It will afford a natural means of regulating the cost

of getting the agricultural and manufactured products of the Mississippi Valley to the markets of the world.

Nature has been bountiful to us in this resource, and the great waterways of the country will in time be developed. A ship canal connecting Lakes Erie and Michigan, and both of these Lakes with the Ohio River, probably must be located through Indiana, and it becomes important that we should take such action in the preliminary stages of this great enterprise as will indicate our earnest co-operation in the work. The Constitution of New York has been amended recently so as to permit the Legislation necessary for the enlargement of the Erie Canal, and other States have secured surveys to be made by the general government. It is important that similar steps be taken by Indiana, and I recommend that you, by joint resolution, request our Senators and Representatives in Congress to secure from the general government a survey for a Ship Canal connecting Lake Michigan with the Ohio River.

#### UNITED STATES SENATORS.

The belief is becoming general amongst the people that it would be wise and best to bring our Senators in the National Congress in closer touch with the people. This can not be better accomplished than that United States Senators should be elected by direct vote of the people of their States. Recently one of Indiana's Senators delivered a forcible, argumentative and convincing speech upon this subject on the floor of the Senate. The movement should not be delayed, and I would suggest the adoption by you of a joint resolution calling upon our Senators to renew their efforts in behalf of this measure. This was done two years ago, but it will do no harm to repeat it.

#### STATIONARY ENGINEERS.

The frequent and lamentable accidents of almost daily occurrence, through the explosion of steam boilers, demands more than a passing thought. The investigation of these accidents, resulting generally in great loss of life and destruction of property, lead to the belief that they are too often occasioned by inexperienced and incompetent engineers.

A bill was before the Legislature two years ago, passing one house, and failing in the other on account of lack of time, providing for the examination and licensing of engineers in charge of stationary steam boilers and steam generating apparatus, in cities having a population of five thousand or more. It is believed that such a law would tend to lessen these accidents, thereby saving much loss in life and property. I understand a bill to the same effect will be presented this session, and I commend it to your consideration.

#### CONCLUSION.

The limited time allowed you by the Constitution, in which to transact the responsible and important labors entrusted to you, will require the faithful utilization of every moment.

There is more to fear from too much legislation, rather than too little. It is hazardous and perplexing to change laws with which the people have become familiar through usage. Such laws as our Tax Law, or Election Law or School Book Law, with which the people have become fully accustomed and have expressed their approval, could through having new provisions added, or old ones changed, easily lead to confusion and doubt that would be unfortunate.

I trust, gentleman, that your meeting this winter may be agreeable, and characterized with that dignity, earnestness and harmony that should prevail among representatives of a great State, brought together with but one object, the common good, and bringing to you personally only pleasing memories for after years.

On motion the joint session adjourned.

The Senators returned to the Senate Chamber and were called to order by the Lieutenant-Governor.

On motion of Senator Bird the Senate adjourned.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.

## MONDAY MORNING.

JANUARY 14, 1895.

The Senate convened at 10 o'clock A. M., Lieutenant-Governor Nye in the chair.

Prayer was offered by Rev. M. L. Haines, of the First Presbyterian Church.

After reading a portion of the Journal, on motion of Senator McLean, the further reading of the same was dispensed with.

Senator Boyd, by unanimous consent, introduced Senate Bill No. 7, entitled :

An act to establish a school for dependent and neglected children, providing for the location, construction and government of said school, making appropriations therefor, defining what shall constitute eligibility to the benefits of the same, specifying what disposition shall be made of the inmates, regulating the placing of children from other States into family homes in Indiana, repealing all laws and parts of laws in conflict with the provisions of this act, and declaring an emergency.

Read first time and referred to the Committee on Benevolent Institutions.

Senator Baker moved that a committee of three be appointed, with Senator Boord as chairman, to prepare resolutions upon the death of the late Senator Yaryan.

Which motion prevailed and the following committee was appointed: Senators Boord, Shiveley and Kern of Marion.

Senator McCutchan introduced Senate Bill No. 8, entitled :

An act for the incorporation of companies for the purpose of constructing, operating and maintaining tobacco warehouses and warehouses for the storage, sale and inspection of tobacco, and for the purpose of engaging in the business of buying, selling and dealing in tobacco.

Read the first time and referred to the Committee on Corporations.

Senator Baker introduced Senate Bill No. 9, entitled :

A bill for an act for the protection of fish within the State of Indiana, providing penalties for the violation of its provisions, repealing all laws in conflict and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Boord, Chairman of the Committee on Mileage, submitted the following report :

MR. PRESIDENT :

Your Committee on Mileage report the following Senators in this body with the number of miles traveled, and the amount of mileage to which each is entitled :

Alexander, 180 miles.....	\$36 00
Baker, 140 miles.....	28 00
Barnes, 244 miles.....	48 80
Beck, 180 miles ...	36 00
Bethell, 300 miles.....	60 00
Bird, 274 miles.....	54 80
Boord, 150 miles.....	30 00
Boyd, 44 miles .....	8 80
Bozemen, 370 miles.....	74 00
Collett, 150 miles.....	30 00
Cranor, 110 miles.....	22 00
Crumpacker, 300 miles.....	60 00
Duncan, 162 miles .....	32 40
Ellison, 274 miles.....	54 80
Gifford, 78 miles.....	15 60
Gostlin, 310 miles.....	62 00
Haggard, 130 miles .....	26 00
Holler, 328 miles .....	65 60
Houghton, 248 miles.....	49 60
Humphreys, 172 miles.....	34 40
Johnston, 204 miles.....	40 80
Kerns, 152 miles.....	30 40
LaFollette, 200 miles.....	40 00
Leyden, 232 miles .....	46 40
McCord, 62 miles.....	12 40
McCutchan, 364 miles.....	72 80

McDonald, 352 miles.....	\$70 40
McKelvey, 120 miles.....	24 00
McLean, 148 miles.....	29 60
McManus, 362 miles.....	72 40
Mull, 70 miles.....	14 00
Newby, 70 miles.....	14 00
O'Brien, 110 miles.....	22 00
Parker, 252 miles.....	50 40
Phares, 188 miles.....	37 60
Rinear, 220 miles.....	44 00
Schneck, 120 miles.....	24 00
Self, 270 miles.....	54 00
Seller, 92 miles.....	18 40
Shiveley, 140 miles.....	28 00
Sweeney, 410 miles.....	82 00
Thayer, 250 miles.....	50 00
Vail, 300 miles.....	60 00
Watson, 244 miles.....	48 80
White, 472 miles.....	94 40
Wray, 54 miles.....	10 80
Mr. President, 300 miles.....	60 00

FRED. BOORD,  
R. F. STUART,  
W. E. McLEAN.

Which report was concurred in.

Senator Alexander presented a petition from George Kimball and others, of Franklin County, asking for the establishment of a State Soldiers' Home.

Read and referred to Committee on Military Affairs.

Senator Wishard presented a petition from James Dunn and others, of Marion County, asking for the establishment of the State Soldiers' Home in Tippecanoe County.

Read and referred to the Committee on Military Affairs.

Senator Barnes presented a petition from John T. Patterson and others, from the county of Clark, asking for the establishment of a State Soldiers' Home in Tippecanoe County.

Which was referred to the Committee on Military Affairs.

Senator Self presented a petition from D. T. Smith and others, of Harrison County, asking for the establishment of a State Soldiers' Home in Tippecanoe County.

Which was referred to the Committee on Military Affairs.

Senator Phares introduced Senate Bill No. 10, entitled :

A bill for an act to legalize the proceedings and records of the Board of Commissioners and the Auditor of Benton County, Indiana, and the acts and doings of the viewers, surveyor, superintendent and contractor in relation to the Johnson E. Childress Free Gravel Road in said county, and declaring an emergency.

Senator Phares moved that the constitutional rule requiring bills to be read on three separate days be suspended, that the bill be read a second time by title, considered engrossed, read a third time by sections and placed upon its passage.

The question being on the suspension of the constitutional rule.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boyd, Bozeman, Collett, Cranor, Duncan, Ellison, Gifford, Gostlin, Haggard, Houghton, Humphreys, Johnson, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McHugh, McKelvey, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard, Wray, Boord and Newby. Total, 44.

None voting in the negative

So the constitutional rule was suspended, the bill was read a second time by title, considered engrossed, read the third time by sections and placed upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Duncan, Ellison, Gifford, Gostlin, Haggard, Houghton, Humphreys, Johnston, Kern

of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McHugh, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, White, Wishard and Wray. Total, 44.

None voting in the negative.

So the bill passed.

The question being, Shall the title as read stand as the title to the act?

It was so ordered.

Senator Baker introduced Senate Bill No. 11, entitled :

A bill for an act for the safety and comfort of certain of the employes of street railway companies.

Read the first time and referred to the Committee on Judiciary.

Senator Baker introduced Senate Bill No. 12, entitled :

A bill for an act to license the traffic in cigarettes and cigarette wrappers, and to provide against the evils resulting from the use of such as are deleterious to health.

Read the first time and referred to the Committee on Judiciary.

Senator Bird introduced Senate Bill No. 13, entitled :

A bill for an act concerning the salaries of County Commissioners in counties having not less than sixty-five thousand (65,000) inhabitants, and not less than twenty (20) civil townships; fixing the time of meeting; declaring their duties and powers; prescribing penalties for violation thereof, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

The following communication from the State Librarian was received and read :

*To the Lieutenant Governor, President of the Senate :*

In accordance with precedent long established, I have caused to be placed on the desks of the members of the Senate copies



of the Report of the State Librarian for the fiscal years 1893 and 1894, with recommendations based on the actual needs of the Library, to which their attention is respectfully called.

Your obedient servant,

MARY E. AHERN.

Senator Bozeman introduced Senate Bill No. 14, entitled :

A bill for an act authorizing Boards of County Commissioners to lay out and construct free gravel, macadamized or turn-pike roads, or improve by straightening, grading, widening, draining, gravelling or macadamizing any of the public roads or highways of the counties of the State, and authorizing the issue of bonds of the county to raise money required for that purpose, and providing for the payment of such bonds by taxing lands adjacent to such roads or highways.

Read the first time and referred to the Committee on County and Township Affairs.

Senator Newby offered the following :

*Resolved*, That the Principal Secretary of the Senate is hereby requested to prepare at the end of each week during the session of the General Assembly a calendar of the business of the Senate to date, which shall show the numbers and titles of bills and resolutions before the Senate, when and by whom introduced and a brief statement showing what action has been taken, and that the same be placed on the desk of each member each Monday morning during the session.

The resolution was adopted.

Senator Duncan introduced Senate Bill No. 15, entitled :

A bill for an act for the relief of Joel S. Davis and authorizing the refunding to him of certain damages paid by him into the Treasury of Bartholomew County, Indiana, to the credit of Congressional Township eight (8) north, range six (6) east, for school purposes, and declaring an emergency.

Read the first time and referred to Committee on County and Township Business.

Senator Ellison introduced Senate Bill No. 16, entitled:

A bill for an act regulating the descent and the apportionment of estates in certain cases, and providing the manner in which a widow may elect to take under the will of her deceased husband, or under the general statutes of descent, and to repeal certain acts in conflict therewith, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Houghton introduced Senate Bill No. 17, entitled:

A bill for an act to amend section two of an act entitled "An act to amend an act entitled 'An act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed,'" approved March 6, 1865, and adding supplemental sections thereto, approved March 8, 1873, and declaring an emergency.

Read the first time and referred to the Committee on Education.

Senator Bird offered the following resolution:

*Resolved*, That five thousand copies of the Governor's Message be printed, and one thousand copies be folded in wrappers and laid in proportion to Senators on their desks.

The resolution was adopted.

Senator Haggard offered the following resolution:

WHEREAS, The construction of a ship canal to connect Lake Michigan with the head of navigation on the Wabash River would contribute great benefits to the people of Indiana, and would be a source of revenue to the State Treasury; and,

WHEREAS, The people demand cheaper inland transportation, and,

WHEREAS, The present system of employing convict labor is injurious to the interests of free labor; and,

**WHEREAS**, The State convicts could be profitably employed in the construction of said canal for several years without in any way competing with skilled labor; therefore, be it

*Resolved*, That a committee of three be appointed by the Senate to inquire into the cost of constructing a ship canal between said points; and that if in the judgment of the committee such work is practicable, they shall present a bill to this Legislature providing for the employment of competent engineers, who shall survey the route to be taken, and make an estimate of the cost of construction of locks and all other work necessary to afford navigation from the mouth of the Wabash River through such canal to said Lake Michigan.

Read and referred to Committee on Finance.

Senator Wishard introduced Senate Concurrent Resolution No. 5, as follows:

*Resolved*, That the Secretary of the Senate be directed to cause to be printed 200 copies of the rules as adopted by the Senate in pamphlet form in the same manner as heretofore printed, and that 51 copies of the same be bound in Morocco leather, with name of each Senator thereon.

The resolution was adopted.

Senator Newby introduced Senate Bill No. 18, entitled:

A bill for an act to amend section three hundred and eighty-nine (389) of an act entitled "An act concerning proceedings in civil causes," approved April 7, 1881, being section five hundred and forty-six (546) of the Revised Statutes of 1881.

Read the first time and referred to the Committee on Judiciary.

Senator Duncan introduced Senate Bill No. 19, entitled:

A bill for an act regulating the terms of the offices of Township Trustees and Township Assessors, fixing the time when they shall go into office, repealing all laws in conflict therewith, and declaring an emergency.

Read the first time and referred to the Committee on County and Township Affairs.

Senator Houghton introduced Senate Bill No. 20, entitled :

A bill for an act to amend section eighty of an act entitled an act concerning public offenses and their punishment, approved April 14, 1881.

Read the first time and referred to the Committee on Judiciary.

Senator Seller introduced Senate Bill No. 21, entitled :

A bill for an act for the repair of ditches and drains which have been constructed and do not properly drain the lands assessed for their construction, and declaring an emergency.

Read the first time and referred to the Committee on Swamp Lands.

Senator Seller introduced Senate Bill No. 22, entitled :

A bill for an act vacating portions of highways in cases therein specified, and declaring an emergency.

Read the first time and referred to the Committee on Roads.

Senator Wishard introduced Senate Bill No. 23, entitled :

A bill for an act to repeal an act entitled "An act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same among the several counties of the State, and to repeal all laws in conflict therewith," approved March 4, 1893, and declaring an emergency.

Read the first time and referred to the Committee on Legislative Apportionment.

Senator Johnson introduced Senate Bill No. 24, entitled :

A bill for an act authorizing the issuing of writs and processes by the Clerks of the Circuit and Superior Courts of this State and the service thereof on Sunday, and the service of such writs on Sunday when issued on any other day, on an affidavit first being filed with such Clerk, as in this act provided, and declaring an emergency for the immediate taking effect of this act.

Read the first time and referred to the Committee on Judiciary.

Senator Kern introduced Senate Bill No. 25, entitled :

A bill for an act to amend section 1 of an act entitled, "An act to enable Trustees to receive lands and donations, and convey the same, for the use of schools, churches, religious societies, Masonic and Odd Fellow lodges, Sons and Daughters of Temperance, and for the construction of cemeteries, houses of worship, or other buildings therein mentioned," approved June 17, 1852, being section 3816 of the Revised Statutes of 1881.

Read the first time and referred to the Committee on Corporations.

Senator Shiveley introduced Senate Bill No. 26, entitled :

A bill for an act providing for a metropolitan police force in all cities containing not less than ten thousand inhabitants and not more than thirty-five thousand inhabitants, and for the appointment of a Board of Metropolitan Police Commissioners for such cities, and defining their duties and prescribing their powers; providing for the appointment of officers, patrolmen and other members of the metropolitan police force of such cities, by such Board, and the manner of paying them for their services, and repealing certain laws and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

Senator Shiveley introduced Senate Bill No. 28, entitled :

A bill for an act creating a Board of Control for all the insane hospitals of the State of Indiana, providing for the appointment of the Trustees composing such Board, for the compensation of such Trustees, and repealing all laws in conflict herewith.

Read the first time and referred to the Committee on Benevolent Institutions.

Senator Kern introduced Senate Bill No. 29, entitled :

A bill for an act prescribing the duties of railroad companies with reference to the crossing by railroad companies of streets, avenues and alleys in incorporated towns and cities in the State of Indiana, prescribing penalties, authorizing suits for the

collection thereof, the disposition thereof, and authorizing towns and cities to grade and plank or gravel railroad tracks at the crossings of streets, avenues and alleys, and to recover the cost and expense thereof, and declaring an emergency.

Read the first time and referred to the Committee on Railroads.

Senator McLean introduced Senate Bill No. 80, entitled :

A bill for an act to amend the first section of an act approved March 8, 1877, entitled, "An act regulating foreign insurance companies doing business in this State, prescribing the duties of the agents thereof, and of the Auditor of State in connection therewith, and prescribing penalties for the violation of the provisions of this act," approved December 21, 1865.

Read the first time and referred to the Committee on Insurance.

Senator Bozeman introduced Senate Bill No. 81, entitled :

A bill for an act regulating the transportation of property by railroad companies and other common carriers.

Read the first time and referred to the Committee on Railroads.

Senator Seller introduced Senate Bill No. 82, entitled :

A bill for an act concerning the sufficiency of the evidence in actions of libel and slander.

Read the first time and referred to the Committee on Judiciary.

Senator Seller introduced Senate Bill No. 83, entitled :

A bill for an act to prevent the unlawful taxing, charging, demanding and collecting of fees by State and county officers, providing penalties and declaring an emergency.

Read the first time and referred to the Committee on Fees and Salaries.

Senator Shiveley introduced Senate Bill No. 34, entitled :

A bill for an act making appropriations for increasing the capacity of the Eastern Indiana Hospital for the Insane, and declaring an emergency.

Read the first time and referred to the Committee on Benevolent Institutions.

Senator Shiveley introduced Senate Bill No. 35, entitled :

A bill for an act appropriating money for the current expenses of the Eastern Indiana Hospital for the Insane.

Read the first time and referred to the Committee on Benevolent institutions.

Senator Newby introduced Senate Bill No. 36, entitled :

A bill for an act to amend sections 4, 9 and 22 of an act entitled "An act to establish and maintain the Indiana Soldiers' and Sailors' Orphans' Home, and repealing certain statutes relating thereto," approved February 15, 1887; also providing for the improvement of said institution and making appropriations therefor.

Read the first time and referred to the Committee on Benevolent Institutions.

Senator Wishard introduced Senate Bill No. 37, entitled :

A bill for an act in relation to the appeals to the Supreme and Appellate Courts.

Read the first time and referred to the Committee on Judiciary.

Senator Seller introduced Senate Bill No. 38, entitled :

A bill for an act to legalize Sheriffs' sales of real estate made without an appraisement of the rents and profits.

Read the first time and referred to the Committee on Judiciary.

Senator Wishard introduced Senate Bill No. 39, entitled :

A bill for an act providing for the publication and indexing of certain laws and statutes of the Northwest Territory and the Territory and State of Indiana, and providing for their effect as evidence when so published.

Read the first time and referred to the Committee on Judiciary.

Senator McHugh introduced Senate Bill No. 40, entitled :

A bill for an act to amend sections one (1) and twelve (12) of an act entitled "An act to provide for the incorporation of street railroad companies," approved June 4, 1861, the same being sections 4148 and 4154 of the Revised Statutes of 1881, naming the kinds of power to be used on such street railroads, and authorizing assessments against street railroad companies for the improvement and repairs of highways, streets and alleys in incorporated cities and towns of one hundred thousand inhabitants or more, and the bridges and culverts connected therewith, providing for the collection of such assessments, and adding a supplemental section thereto and declaring an emergency.

Read the first time and referred to the Committee on the Affairs of the City of Indianapolis.

Senator Kern introduced Senate Bill No. 41, entitled :

A bill for an act entitled an act appropriating the sum of \$48,513.09 for the payment of the expenses of the Indiana Legion during the year 1894, and the incidental expenses connected therewith, and declaring an emergency.

Read the first time and referred to the Committee on Military Affairs, and made a special order of business for January 16 at 10 o'clock A. M.

By request Senator Baker introduced Senate Bill No. 42, entitled :

A bill for an act to authorize and empower the Board of County Commissioners of Grant County, Indiana, to pay and refund to certain citizens of said county certain sums of money



paid, or which they may by law be compelled to pay, as guarantors, in aid of the construction of the railway now known as the Toledo, St. Louis & Kansas City Railroad through said county.

Read the first time and referred to the Committee on Judiciary.

Senator Parker offered the following :

MR. PRESIDENT :

With the consent of the President and the Senate, I hereby resign my place as member of the Committee on Fees and Salaries.

PARKER.

Which request was granted and, upon motion, Senator Seller was substituted in his place.

Senator Boyd introduced Senate Bill No. 43, entitled :

A bill for an act to provide for the treatment and cure of habitual drunkards and other victims of the drug habit and the treatment of such under the direction and order of county and city courts and providing for the payment of such treatment from the public funds, repealing all laws inconsistent therewith and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

By request, Senator Cranor introduced Senate Bill No. 44, entitled :

A bill for an act providing for the inspection and regulation of steam boilers, and the appointment of a State Boiler Inspector, and providing penalties for the violation thereof.

Read the first time and referred to the Committee on Labor.

Senator Cranor introduced Senate Bill No. 45, entitled :

A bill for an act to amend section four (4) of an act entitled an act defining the Twenty-fifth Judicial Circuit, creating the Forty sixth Judicial Circuit, fixing the time for holding courts in said circuits and providing for the appointment of a Judge for the Forty-sixth Judicial Circuit and a Prosecuting Attorney for the Twenty-fifth Judicial Circuit, regulating other

matters in connection therewith ; repealing all laws inconsistent with this act and declaring an emergency. Approved March 5, 1885, repealing all laws inconsistent herewith and declaring an emergency.

Read the first time.

Senator Cranor moved that the constitutional rule requiring bills to be read on three several days be suspended and that the bill be read a second time by title, considered engrossed, and read by sections a third time.

The question being on the suspension of the constitutional rules, the roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Cranor, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McDonald, McHugh, McKelvey, McLean, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard, Wray. Total, 43.

None voting in the negative.

So the constitutional rule was suspended, and the bill read a second time by title, considered engrossed, and read a third time by sections.

The question being, Shall the bill pass ?

The roll was called which resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern, Kerns, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 45.

None voting in the negative.

So the bill passed.

The question being, Shall the title as read stand as the title of the act?

It was so ordered.

Senator Duncan introduced Senate Bill No. 46, entitled :

A bill for an act fixing the time for holding courts in the Tenth Judicial Circuit, defining the length of such terms, repealing all laws in conflict therewith, and declaring an emergency.

Read the first time and referred to the Committee on Courts.

Senator Houghton introduced Senate Bill No. 47, entitled :

A bill for an act to legalize certain school bonds issued by the Board of Trustees of the incorporated town of Shoals, in Martin County, in the State of Indiana, and declaring an emergency.

Read the first time.

Senator Houghton moved to suspend the constitutional rule requiring bills to be read on three several days, that the bill be read the second time by title, considered engrossed, read a third time by sections and placed upon its passage.

The question being on the suspension of the constitutional rule, the roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnson, Kern of Marion, Kerns of Vermillion, LaFollette, McCord, McDonald, McHugh, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White. Total, 44.

None voting in the negative.

So the constitutional rule was suspended, the bill read the second time by title, considered engrossed and read the third time by sections, and placed upon its passage.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kerns, Kern, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, Newby, O'Brien, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 46.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senator Kern of Marion introduced Senate Bill No. 48, entitled :

A bill for an act to amend section 118 of "An act concerning the incorporation and government of cities having more than 100,000 population according to the last preceding United States census, and matters connected therewith, and declaring an emergency," approved March 6, 1891, repealing conflicting laws, and declaring an emergency.

Read the first time and referred to the Committee on Affairs of the City of Indianapolis.

Senator LaFollette introduced Senate Bill No. 49, entitled :

A bill for an act entitled an act to amend section number one (1) of an act entitled "An act to amend section number one (1) of an act entitled 'An act to amend section one (1) of an act entitled an act to amend section number one (1) of an act entitled an act concerning the organization and perpetuity of voluntary associations, and adding supplemental sections, and declaring an emergency, approved March 6, 1889, and declaring an emergency,' approved March 9, 1891, and declaring an emergency," approved March 3, 1893, and declaring an

emergency and repealing all laws and parts of laws in conflict therewith, being section 8502, Revised Statutes, 1881, and Burns' revision, 1894, section 4583.

Read the first time and referred to the Committee on Judiciary.

Senator McCutchan introduced Senate Bill No. 50, entitled :

A bill for an act to compel street railroads to provide protection to motormen and conductors.

Read the first time and referred to the Committee on Corporations.

Senator McCutchan introduced Senate Bill No. 51, entitled :

A bill for an act entitled an act to prevent fraudulent dealings of nursery agents and salesmen, prescribing penalties therefor.

Read the first time and referred to the Committee on Judiciary.

Senator McDonald introduced Senate Bill No. 52, entitled :

A bill for an act authorizing incorporated cities to recover fines and penalties in misdemeanors where the penalty under the State law is a fine only, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator McKelvey introduced Senate Bill No. 53, entitled :

A bill for an act to amend sections four (4), six (6) and seven (7) of an act entitled "An act concerning the construction of free gravel, stone or other macadamized roads, providing for their location, the manner of their construction, and providing for the payment of the same and for their maintainance, and declaring an emergency," approved March 8, 1898, and declaring an emergency.

Read the first time and referred to the Committee on Roads.

Senator Parker introduced Senate Bill No. 54, entitled :

A bill for an act to legalize certain sales of real estate made by County Auditors as forfeited school lands, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Self introduced Senate Bill No. 55, entitled :

A bill for an act providing for the election and qualification of County Superintendents and for their removal, and extending the term of office of present incumbents and repealing all laws or parts of laws in conflict therewith, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Shiveley introduced Senate bill No. 56, entitled :

A bill for an act authorizing the appointment of a Humane Inspector by County Commissioners, and providing for their compensation.

Read the first time and referred to the Committee on Judiciary.

Senator Barnes offered the following resolution :

*Resolved*, That the Principal Secretary of the Senate is hereby instructed to procure and place on the desk of each Senator for reference during the session, one copy of the Revised Statutes of 1894.

Which motion Senator Kern moved to amend by adding :

“And that at the end of the session such copies be returned to the State Library for the use of the members at the next session of this body.”

Which said amendment of Senator Kern Senator McDonald moved to amend as follows : By adding eight copies to be used in committee rooms of this body, and that they be subject to same rules of return.

Senator Watson offered the following amendment to the amendment:

*Resolved*, That the principal Clerk of this Senate purchase eight statutes of 1894 for the committee rooms of the Senate and twelve copies for Senate Chamber, and that they be receipted for by the Secretary of the Senate and returned to the Librarian at the close of the session.

Which said amendment Senator Houghton offered to amend by striking out the word twelve in the resolution and inserting the word twenty-five.

Which was declared out of order.

Senator Cranor now offered the following substitute, to wit:

*Be it resolved*, That the Secretary of the Senate is hereby authorized and directed to purchase on the best possible terms, and at a price not to exceed \$15 per set, the Indiana Statutes, Revision of 1894, three volumes for the use of the members of the Senate and President of the Senate. No member shall have the use of more than one set of said books and shall receipt to the Secretary of the Senate for the same.

The ayes and noes being demanded, the roll was called and resulted as follows.

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Boord, Boyd, Bozeman, Collett, Cranor, Ellison, Gifford, Houghton, Kern of Marion, Leydon, McHugh, McKelvey, McLean, O'Brien, Parker, Schneck, Seller, Stewart, Sweeney, Wray. Total, 24.

Those voting in the negative were:

Senators Bethell, Bird, Duncan, Gostlin, Haggard, Humphreys, Johnston, Kerns of Vermillion, LaFollette, McCord, McCutchan, Mull, Newby, Phares, Rinear, Self, Shiveley, Watson, White, Wishard. Total, 20.

So the substitute was adopted.

Senator Schneck moved to reconsider the vote by which the Secretary was ordered to purchase 51 copies of the Revised Statutes of 1894.

Senator McHugh moved to lay the motion on the table.

Which motion prevailed.

Senator Stuart introduced Senate Bill No. 57, entitled :

A bill for an act to amend section one (1) (section 708, R. S. 1881) of an act entitled "An act providing for a homestead and exempting it from sale on execution, and exempting certain personal property from attachment and sale on execution, or distress for rent," and repealing all laws in conflict herewith, approved March 29, 1879. •

Read the first time and referred to the Committee on Judiciary.

Senator Baker introduced Senate Bill No. 58, entitled :

A bill for an act to establish a Superior Court in the county of Madison, defining its authority and jurisdiction, providing for the appointment, election and compensation of the Judge thereof, and providing for a vacancy in the office of Judge of said court.

Read the first time and referred to the Committee on Courts.

Senator Bozeman introduced Senate Bill No. 59, entitled :

A bill for an act providing for the protection, supervision and safety of property, or money willed or donated for benevolent purposes.

Read the first time and referred to the Committee on Judiciary.

Senator Wray introduced Senate Bill No. 60, entitled :

A bill for an act to amend section one (1) of an act entitled, "An act requiring railroad corporations, and other persons operating and controlling railroads, to fence their right of way and railroad track, and to construct barriers and cattle guards at certain public road and highway crossings, and to maintain and keep the same in repair, and prescribing remedies and penalties for failing to do so," approved April 13, 1885. •

Read the first time and referred to the Committee on Railroads.



Senator Sweeney introduced Senate Bill No. 61, entitled :

A bill for an act fixing the limit of compensation to be paid for carrying passengers and their baggage on all lines of railroads within the State of Indiana, and providing a penalty for a violation thereof, and declaring an emergency.

Read the first time and referred to the Committee on Railroads.

Senator Sweeney introduced Senate Bill No. 62, entitled :

A bill for an act requiring foreign life, fire and accident insurance companies doing business in the State of Indiana to keep a certain sum of money invested or on deposit in the State of Indiana, providing for its taxation, fixing a penalty for the violation of this act, making it a misdemeanor for agents to act for companies who have not complied with this act, and fixing a punishment therefor.

Read the first time and referred to the Committee on Insurance.

Senator Vail introduced Senate Bill No. 63, entitled :

A bill for an act to provide for a uniform policy of fire insurance to be made and issued in this State by all insurance companies taking fire risks on property within the State, repealing all laws in conflict therewith, and declaring an emergency.

Read the first time and referred to the Committee on Insurance.

Senator Wray introduced Senate Bill No. 64, entitled :

A bill for an act to regulate contracts of insurance of buildings and structures.

Read the first time and referred to the Committee on Insurance.

Senator Wray introduced Senate Bill No. 65, entitled :

A bill for an act prescribing a limit to be charged by all joint stock companies, corporations, firms, or individuals who control, superintend or own stock-yards within three miles of any

incorporated city or town, or within the limits of any incorporated city or town within the State of Indiana, in the weighing of horses, cattle, hogs, sheep or other stock, and furnishing enclosed yards and pens and pen accommodations therefor, and the weighing of cars loaded with freight for transportation, or which has been received, by any such joint stock company, corporation, firm or individual, and prescribing the amounts to be charged for food, grain and forage for such stock at stock-yards, and prescribing penalties for a violation of its provisions.

Read the first time and referred to the Committee on Corporations.

Senator Holler introduced Senate Bill No. 66, entitled :

A bill for an act to create the office of Food and Dairy Commissioner, and the appointment of his assistants, and defining his duties and declaring an emergency.

Read the first time and referred to the Committee on Agriculture.

Senator Ellison introduced Senate Bill No. 67, entitled :

An act to prevent the adulteration of dairy products and other articles of food and drink in certain cases. To regulate the manufacture of adulterated articles of food and the sale thereof when adulterated in certain cases; providing penalties for the violation of this act, and the manner in which the violation thereof shall be furnished.

Read the first time and referred to the Committee on Agriculture.

Senator McCutchan introduced Senate Bill No. 68, entitled :

A bill for an act to amend an act entitled an act to prevent carrying concealed or dangerous weapons, and to provide punishment therefor, approved February 23, 1859, and being section one thousand, nine hundred and eighty-five (1985) of the Revised Statutes of 1881, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

House Bill No. 1 was received from the House, entitled :

An act appropriating the sum of \$100,000 for the purpose of paying the expenses of the General Assembly.

Read the first time and referred to the Committee on Finance.

Senator Stuart introduced Senate Bill No. 69, entitled :

A bill for an act providing for attorney's fees when a mechanic, artisan, minor, laborer, servant or employe sues for wages.

Read the first time and referred to the Committee on Labor.

Senator Gifford introduced Senate Bill No. 70, entitled :

A bill for an act prohibiting the selling, bartering, mortgaging, pledging or removing of personal property by parties in possession thereof by virtue of conditional purchase without the consent of the holder of the legal title to such property, and providing the punishment thereof, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Gifford introduced Senate Bill No. 71, entitled :

A bill for an act repealing all parts of laws providing for the death penalty for the punishment of crime, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

On motion of Senator Boyd the Senate adjourned.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.

## TUESDAY MORNING.

JANUARY 15, 1895.

The Senate convened at 10 o'clock A. M., Lieutenant-Governor Nye in the Chair.

After reading of a portion of the Journal, on motion of Senator Watson the further reading of the same at this time was dispensed with.

Senator Duncan presented a petition from John C. Clay and other citizens of Monroe County asking for the establishment of a State Soldiers' Home in Tippecanoe County.

Read and referred to the Committee on Military Affairs.

Senator Holler introduced Senate Bill No. 72, entitled:

A bill for an act to create a State Veterinary Medical Commission, providing for their appointment and defining their duties, and declaring the time of taking effect thereof.

Read the first time and referred to the Committee on Agriculture.

Senator Houghton presented a petition from Mr. Passel and other citizens of Martin County, asking for the establishment of a State Soldiers' Home in Tippecanoe County.

Read and referred to Committee on Military Affairs.

Senator LaFollette presented petitions from George W. Brake and other citizens and ex-soldiers of Jay County asking for the establishment of a State Soldiers' Home in Tippecanoe County.

Read and referred to the Committee on Military Affairs.

Senator LaFollette presented a petition from R. S. Peterson and other citizens of Adams County, asking for the establishment of a State Soldiers' Home in Tippecanoe County.

Read and referred to the Committee on Military Affairs.

Senator Schneck presented two petitions from William Gregory and other citizens of Jackson County asking for the establishment of a State Soldiers' Home in Tippecanoe County.

Read and referred to the Committee on Military Affairs.

Senator Self presented a petition from Francis M. Hardin and other citizens of Harrison County asking for the establishment of a State Soldiers' Home in Tippecanoe County.

Read and referred to the Committee on Military Affairs.

Senator Sweeney introduced Senate Bill No. 73, entitled :

A bill for an act fixing the liabilities of insurance companies in case of loss by casualty under policies and basis of adjustment and settlement between insurer and insured, declaring void all contracts in conflict with provisions of this act, and an emergency declared.

Read the first time and referred to Committee on Insurance.

Senator McCutchan, Chairman of Committee on Military Affairs, made the following report :

MR. PRESIDENT :

The Committee before which Senate Bill No. 41 was referred, recommend that the bill do pass.

The report was concurred in.

Senator Kern moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that the bill be read a second time by title, considered engrossed, and read a third time by sections now.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bird, Boord, Boyd, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Watson, Wray. Total, 40.

None voting in the negative.

So the constitutional rule was suspended and the bill read a second time by title, considered engrossed and read a third time by sections.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McHugh, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, Wishard, Wray. Total, 44.

None voting in the negative.

So the bill passed.

The question being, Shall the title as read stand as the title of the act.

It was so ordered.

Senator Kerns presented a petition from G. B. Henderson and other citizens and ex-soldiers of Parke County asking for the establishment of a State Soldiers' Home in Tippecanoe County.

Read and referred to the Committee on Military Affairs.

Senator Alexander introduced Senate Bill No. 74, entitled :

A bill for an act providing for the proof of the execution of wills when the witnesses thereto do not reside in the county in which the will should be admitted to probate, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

By request, Senator Boyd introduced Senate Bill No. 75, entitled :

An act establishing a board to be known as the State Veterinary Medical Board, which shall consist of six members, the same to be appointed by the Governor, defining their duties and prescribing who shall practice veterinary surgery in the State, and fixing penalties, etc.

Read the first time and referred to Committee on Agriculture.

Senator Cranor introduced Senate Bill No. 76, entitled :

A bill for an act to amend section one (1) of an act entitled, "An act to amend section two (2) of an act entitled an act fixing the salaries of County Commissioners, Township Assessors and Trustees, and declaring an emergency, approved March 6, 1889," and declaring an emergency, approved March 7, 1891, and declaring an emergency.

Read the first time and referred to the Committee on County and Township Business.

Senator Cranor introduced Senate Bill No. 77, entitled :

A bill for an act concerning Justices of the Peace, fixing their compensation and defining certain of their duties and the duties of Boards of County Commissioners, County Treasurers and County Auditors in relation thereto, and repealing conflicting laws.

Read the first time and referred to the Committee on Judiciary.

Senator LaFollette introduced Senate Bill No. 78, entitled :

An act authorizing cities incorporated under the general laws to enforce street sprinkling and sweeping, providing for the letting of the same by contract, the manner of assessing and collecting the cost of such sprinkling and sweeping, and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

Senator LaFollette introduced Senate Bill No. 79, entitled :

A bill for an act concerning promissory notes and other evidences of indebtedness and promises therein to pay attorney's fees, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Crumpacker introduced Senate Bill No. 80, entitled :

A bill for an act to protect the people of Indiana in the sale of poisons, and the compounding of medicines by ignorant persons.

Read the first time and referred to the Committee on Public Health.

Senator Leyden introduced Senate Bill No. 81, entitled :

A bill for an act to legalize the town of Greenville, Floyd County, Indiana, the election and qualification of its several Boards of Trustees and other officers, and all acts, orders, ordinances, resolutions, by laws, minutes and proceedings of the Board of Trustees of said town, and other matters connected therewith and declaring an emergency.

Read the first time.

Senator Leyden moved that the constitutional rule requiring that bills be read on three several days be suspended, that the bill be read a second time by title, considered engrossed, read a third time by sections, and put upon its passage.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, White, Wishard, Wray. Total, 46.



None voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title, considered engrossed, and read a third time by sections.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Watson, White, Wishard, Wray. Total, 45.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title to the act.

It was so ordered.

Senator Kern of Marion (by request) introduced Senate Bill No. 82, entitled:

A bill for an act to confirm and make valid sales of real estate in the State of Indiana, made and hereafter to be made by trustees and by domestic and foreign executors.

Read the first time and referred to the Committee on Judiciary.

Senator McCutchan introduced Senate Bill No. 83, entitled:

An act providing for the practice of veterinary surgery, prescribing rules and prescribing penalties.

Read the first time and referred to the Committee on Agriculture.

Senator Gostlin introduced Senate Bill No. 84, entitled :

A bill for an act to amend section one of an act approved March 8, 1889, and entitled "An act concerning the purchase of toll-roads, and providing for the maintenance of the same as free gravel roads, and declaring an emergency."

Read the first time and referred to the Committee on Roads.

Senator McLean introduced Senate Bill No. 85, entitled :

An act regulating insurance companies doing business in this State, and prescribing penalties for the violation thereof, and providing for a hearing for violations of the same.

Read first time and referred to the Committee on Insurance.

Senator Newby introduced Senate Bill No. 86, entitled :

A bill for an act extending to all political parties a right of representation upon boards of election commissioners and upon election boards.

Read first time and referred to the Committee on Elections.

Senator Seller introduced Senate Bill No. 87, entitled :

A bill for an act to amend section eleven of an act entitled "An act prohibiting the obstruction of ditches or drains, providing a method of keeping them in repair and providing a penalty for the violation thereof, approved February 28, 1889.

Read first time and referred to the Committee on Swamp Lands and Drains.

Senator Seller introduced Senate Bill No. 88, entitled :

A bill for an act to provide for the location and perpetuation of lost section corners in certain cases.

Read the first time and referred to the Committee on County and Township Business.

Senator Shiveley introduced Senate Bill No. 89, entitled :

A bill for an act creating a Board of Control, to manage, control and govern the State Prison North, the State Prison South, and the Indiana Reform School for Boys, providing for

the appointment of the Trustees composing such Board, for the compensation of such Trustees, and repealing all laws in conflict herewith.

Read the first time and referred to the Committee on Prisons.

Senator Watson introduced Senate Bill No. 90, entitled :

A bill for an act to amend an act providing for the appointment of Justices of the Peace, approved March 10, 1875, the same being section 5564 of the Revised Statutes of 1881, repealing all laws in conflict herewith, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Wishard introduced Senate Bill No. 91, entitled :

A bill for an act concerning pensions for disabled or retired firemen and dependents of deceased firemen; providing for pensioning the widows and orphans of deceased firemen; providing for pensioning the dependent wives and children of retired or disabled firemen; providing for pensioning dependent fathers and mothers and dependent brothers and sisters of disabled or retired firemen; providing for a fund out of which such pensions shall be paid; providing for a Board of Trustees for the management and distribution of such fund; providing and prescribing regulations relative to the mode of obtaining, preserving, using and disbursing such fund; declaring to what cities and fire departments this act shall apply, repealing former acts and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

Senator Cranor introduced Senate Bill No. 92, entitled :

A bill for an act to legalize the incorporation of the town of Albany, in Delaware County, in the State of Indiana, and to legalize the municipal elections, the organization and the official acts of the several Boards of Trustees and the official acts of all other officers of said town; and all orders, resolutions,

rules, regulations, by-laws and ordinances heretofore made, passed, ordained or adopted by said Boards of Trustees, or any of them, and declaring an emergency.

Read the first time.

Senator Cranor moved that the constitutional rule requiring that bills be read on three several days be suspended, that the bill be read the second time by title, considered engrossed, read the third time by sections, and put upon its passage.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Collett, Cranor, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern, Kerns, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Self, Seller, Shively, Sweeney, Watson, White, Wishard, Wray. Total, 43.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read the second time by title, considered engrossed, and read the third time by sections.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shively, Stuart, Sweeney, Vail, Watson, White, Wishard and Wray. Total, 47.

None voting in the negative.

So the bill passed.

The question being, Shall the title as read stand as the title of the act?

It was so ordered.

Senator Boord, Chairman of Committee on Mileage, asked consent of the Senate to correct the mileage of Senator Mull, and change such mileage from eighty to seventy miles.

Which was granted.

Senator Shiveley offered the following resolution :

*Resolved*, That the Secretary of the Senate be authorized and instructed to purchase twenty-eight (.8) sets of Burns' revision of 1894 of the Statutes of Indiana, and no more, at a cost not exceeding fifteen dollars (\$15) per set; and that he place and cause to be kept one set of said books in each of the committee rooms of the Senate for the use and benefit of the committees meeting therein, and the other twenty sets be kept by the Secretary in the Senate Chamber for the use and benefit of the President and Senators, and at the end of this session of the Senate the Secretary shall deposit all of said sets of books with the State Librarian, and take a receipt therefor, for the use and benefit of the members of the next session of this Senate.

The Chair ruled that the resolution was not in order.

Senator Shiveley appealed from the decision of the Chair.

The question being, Shall the decision of the Chair stand as the decision of the Senate?

The ayes and noes were demanded by Senators Shiveley and Crumpacker.

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bird, Boord, Bozeman, Cranor, Duncan, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McCutchan, McDonald, McHugh, McKelvey, McLean, O'Brien, Parker, Rinear, Seller, Stuart, Sweeney, Wray. Total, 27.

Those voting in the negative were :

Senators Bethell, Boyd, Collett, Crumpacker, Gostlin, Haggard, Houghton, Kerns of Vermillion, LaFollette, McCord, Mull, Newby, Phares, Schneck, Self, Shiveley, Vail, Watson, White, Wishard. Total, 20.

So the decision of the Chair was sustained.

Senator Wishard offered a resolution to withdraw Senate Bill No. 5, appropriating the sum of one hundred and five thousand dollars for the general expenses of the Fifty-ninth General Assembly, which resolution was adopted.

Senator McCord presented a petition from James Jordan and other citizens of Morgan County, asking for the establishment of a State Soldiers' Home in Tippecanoe County.

Read and referred to the Committee on Military Affairs.

Senator O'Brien offered the following :

A Joint Resolution No. 1 to amend section two (2) of article 7 of the Constitution of the State of Indiana.

*Be it resolved by the General Assembly of the State of Indiana, That the following proposed amendment to the Constitution of said State, be, and the same is now agreed to, and referred to the General Assembly of said State to be chosen at the next general election.*

Amend section two (2) of article seven (7) of said Constitution to read as follows :

The Supreme Court shall consist of not less than nine nor more than fifteen judges, a majority of whom shall form a quorum. They shall hold their offices for six years if they so long behave well.

*Resolved, That in submitting the amendment to the electors of the State to be voted on, it shall be designated as amendment No. 1.*

Read the first time and referred to the Committee on Revision of the Constitution.

Senator McCutchan introduced Senate Bill No. 93, entitled :

A bill for an act to provide for the examination and licensing of engineers in charge of stationary steam boilers and steam generating apparatus for cities of 5,000 inhabitants and over, and for the organization of a Board of Examiners, and matters connected therewith, and prescribing penalties for the violation of its provisions.

Read the first time and referred to the Committee on Judiciary.

Senator Haggard, chairman of the Committee on Finance, to whom was referred House Bill No. 1, filed a report recommending the passage of the same, said House Bill No. 1 being an act appropriating one hundred thousand dollars for the purpose of paying the expenses of the Fifty-ninth General Assembly.

Which report was adopted.

Senator Haggard moved that the constitutional rule requiring bills to be read on three several days be suspended, that the bill be read the second time by title, considered engrossed, and read a third time by sections and placed upon its passage.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Crumpacker, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern, Kerns, LaFollette, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard. Total, 43.

The constitutional rule was suspended.

The bill was read a second time by title, considered engrossed, read a third time by sections and placed upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Collett, Crumpacker, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern, Kerns, LaFollette, Leyden, McCord, McCutchan, McDonald, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard. Total, 39.

None voting in the negative.

So the bill passed.

The title of the bill was adopted as the title to the act.

Senator Parker moved that when the Senate adjourn, it adjourn until to-morrow morning at ten o'clock, which motion was carried.

And upon motion of Senator Kern, of Marion, the Senate adjourned.

MORTIMER NYE,  
President of Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.

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### WEDNESDAY MORNING.

JANUARY 16, 1895.

The Senate met pursuant to adjournment at 10 o'clock A. M., with the Lieutenant-Governor in the Chair.

After reading a portion of the Journal, the further reading, on motion of Senator Crumpacker, was dispensed with at this time.

Senator Kern of Marion offered Senate Concurrent Resolution No. 10, as follows:

*Resolved*, That the Secretary of the Senate be required to explain why he has not carried out the command of this Senate relating to the Revised Statutes of 1894, and also as to whether he is acting under any orders or commands which he regards as superior to those of this body.

Senator Crumpacker moved to lay the resolution on the table.

Senators Wishard and Watson demanded the ayes and noes.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Baker, Bethell, Boyd, Bozeman, Collett, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kern of Marion, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Mull, Newby, Phares, Schneck, Self, Shiveley, Vail, Watson, White and Wishard. Total, 27.



Those voting in the negative were :

Senators Alexander, Barnes, Beck, Bird, Boord, Cranor, Ellison, Gifford, Humphreys, Johnston, Leyden, McDonald, McHugh, McKelvey, McLean, O'Brien, Parker, Rinear, Seller, Stuart, Sweeney and Wray. Total, 22.

So the resolution was laid on the table.

Senator Kern moved to reconsider the motion to lay on the table.

Senators Shiveley and Kern demanded the ayes and noes.

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Barnes, Beck, Bird, Boord, Cranor, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Sweeney and Wray. Total, 22.

Those voting in the negative were :

Senators Baker, Bethell, Boyd, Bozeman, Collett, Crumacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White and Wishard. Total, 27.

So the motion to reconsider the motion was lost.

Senator Shiveley offered Senate Concurrent Resolution No. 11, as follows :

WHEREAS, On the                    day of January, 1895, this Senate passed Resolution No. 7, authorizing the Secretary of the Senate to purchase for the use of the Senate and the several committees thereof fifty-eight sets of Burns' Revised Statutes of 1894, and

WHEREAS, The Secretary of the Senate has not availed himself of the provisions of said resolution by the purchase of said books,

*Be it therefore resolved*, That said Secretary be hereby directed and instructed to, within twenty-four hours, if possible so to do, purchase twenty-eight sets of Burns' Revision of 1894 of the Statutes of Indiana, at a cost of not to exceed fif-

teen (15) dollars per set, and that he place and cause to be kept one set of said books in each of the committee rooms of the Senate, for the use and benefit of the committees meeting therein, and the other twenty sets be kept by the Secretary in the Senate Chamber for the use and benefit of the President and Senators, and that at the end of this session of the Senate the Secretary shall deposit said sets of books with the State Librarian, and take a receipt therefor. That said books shall be kept by said Librarian for the use and benefit of the members of the next session of this Senate.

The President of the Senate ruled that the resolution was not in order.

Senator Boyd appealed from the decision of the President.

The question being, Shall the decision of the President be sustained?

The roll being called, resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Barnes, Beck, Bird, Boord, Cranor, Ellison, Gifford, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, O'Brien, Parker, Rinear, Seller, Stuart, Sweeney, Wray. Total, 22.

Those voting in the negative were :

Senators Baker, Bethell, Boyd, Bozeman, Collett, Crumacker, Duncan, Gostlin, Haggard, Holler, Houghton, Humphreys, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Mull, Newby, Phares, Schneck, Self, Shiveley, Vail, Watson, White, Wishard. Total, 27.

So the decision of the President was not sustained.

Senator Boord moved to adjourn.

Senators Shiveley and Newby demanded the ayes and noes.

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Barnes, Beck, Bird, Boord, Cranor, Ellison, Gifford, Humphreys, Kern of Marion, Leyden, McCutchan, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Stuart, Sweeney, Wray. Total, 21.

Those voting in the negative were :

Senators Baker, Bethell, Boyd, Bozeman, Collett, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Johnston, Kerns of Vermillion, LaFollette, McCord, McManus, Mull, Newby, O'Brien, Phares, Schneck, Self, Seller, Shiveley, Vail, Watson, White, Wishard. Total, 28.

So the motion was lost.

Senator McDonald moved to amend the Senate Concurrent Resolution No. 11, by inserting the word "thirty" in the place of "twenty-eight."

Senator Watson moved to reject the amendment.

Senator Newby demanded the previous question.

Twenty-seven Senators seconded the demand.

The question being, Shall the main question now be put?

The roll being called resulted as follows :

Those voting in the affirmative were :

Senators Baker, Beck, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Mull, Newby, O'Brien, Phares, Schneck, Self, Seller, Shiveley, Vail, Watson, White, Wishard. Total, 80.

Those voting in the negative were :

Senators Alexander, Barnes, Bethell, Bird, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Stuart, Sweeney, Wray. Total, 18.

So the previous question was ordered.

The roll being called on the rejection of the amendment, resulted as follows :

Those voting in the affirmative were :

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Mull, Newby, O'Brien, Phares, Schneck, Self, Seller, Shiveley, Vail, Watson and Wishard. Total, 29.

Those voting in the negative were :

Senators Alexander, Barnes, Beck, Bird, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Stuart, Sweeney, Wray. Total, 19.

So the amendment was rejected.

The question being upon the adoption of Senator Shiveley's resolution.

The roll being called resulted as follows:

Those voting in the affirmative were :

Senators Baker, Bethell, Boyd, Bozeman, Collett, Crum-packer, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McDonald, McManus, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White, Wishard. Total, 27.

Those voting in the negative were :

Senators Alexander, Barnes, Beck, Boord, Cranor, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McCutchan, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Wray. Total, 19.

So the resolution was adopted.

On motion of Senator Kern the Senate adjourned.

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### WEDNESDAY AFTERNOON.

JANUARY 16, 1895.

The Senate reconvened at 2 o'clock.

Senator Wray, from the Committee on Rules, made the following report :

MR. PRESIDENT :

Your committee appointed on the part of the Senate to act with a like committee on the part of the House to prepare joint rules for conducting the business of the two houses of

this General Assembly respectfully report that said joint committee of the Senate and House recommend for such joint rules the adoption of the joint rules of the last General Assembly of 1893, numbered from one (1) to seventeen (17), inclusive.

Which report was concurred in.

Senator Crumpacker presented a petition from A. P. Andrew, Jr., and son and other citizens and ex-soldiers of La-porte County asking for the establishment of a State Soldiers' Home in Tippecanoe County.

Read and referred to the Committee on Military Affairs.

Senator Humphreys offered Senate Concurrent Resolution No. 12, as follows:

WHEREAS, The present mode of selecting United States Senators, as prescribed by the Constitution of the United States, is not consistent with a true democratic form of government; and

WHEREAS, There are now pending before the Congress of the United States propositions to amend the United States Constitution so as to make the Senators of the United States elected by a direct vote of the electors; therefore

*Resolved by the Senate, the House of Representatives concurring,* That it is the sense of the General Assembly of the State of Indiana that the Constitution of the United States should be so amended as to make the Senators of the United States elective by a direct vote of the people, and the Senators and Representatives of the Congress from this State are hereby respectfully requested to use their earnest endeavors to secure such amendments at the earliest practicable period.

The Governor of the State is hereby requested to forward copies of this resolution to each of the Senators and Representatives in Congress.

Read and referred to the Committee on Federal Relations and Rights and Privileges of the Inhabitants of the State.

Senator Leyden presented the following claim :

In the matter of the claim of R. P. Main for supplies furnished the Indiana State Prison South.

For the years of 1873-1874 and part of 1875, for want of sufficient appropriations and inability to collect from the contractors for convict labor, Col. L. S. Shuler, the Warden of the Prison, was compelled largely to purchase supplies on credit and pay for them as he could realize on the contracts for the convict labor, or really from any source. During the time above stated R. P. Main, a dealer in groceries and provisions at New Albany, Indiana, sold supplies to a large amount to the Warden on credit. In January, 1875, the Warden, on prison account, was indebted to Main more than \$5,000, of this he paid all except \$2,474.96, and then obtained from the Southwestern Car Company (which was contractor for most all of the convict labor) two notes payable to L. S. Shuler, Warden, for \$2,474.96. These notes were indorsed to R. P. Main by L. S. Shuler, Warden, of that sum, prior to June 15, 1875, when Col. Shuler ceased to be Warden. \$500 was paid and credited on one of the notes, leaving due R. P. Main from the prison \$1,974.96, no part of which has ever been paid to Mr. Main. After the date of the payment of \$500 the Southwestern Car Company was insolvent, unable to pay the State what it owed for labor, about \$18,000. But Col. Shuler feeling the obligation to pay Mr. Main induced the company to pay him the \$500 in preference to other creditors, although there were many of them.

Shortly afterwards the Southwestern Car Company went into bankruptcy. Its assets paid costs; employes, who had the first lien; State and county taxes, which were the second lien, and then paid the State for the convict labor about \$8,000, only a part of what it owed for convict labor.

That exhausted the assets of the car company, and the general creditors, Mr. Main being one of them, received nothing. Having prosecuted his claim against the car company to complete insolvency Mr. Main looked, as he had the right to look, to the State to pay him the balance due him for provisions and supplies sold to the State on credit when it was very difficult to get credit for the large amounts required to feed the convicts. Every principle of equity, right and justice will prompt the payment of this claim.

The State should ask of its creditors no more than an individual debtor could require before the law would compel the payment of a debt. Mr. Main has done all he could to collect his debts. He can not sue the State without the special permission of the State by act of its Legislature, or his debt would have been collected long ago. The whole sum of it is that Main furnished the supplies on the credit of the State, has never been paid for them and now asks the State to pay for them.

Respectfully,

R. P. MAIN.

Read and referred to the Committee on Claims.

Senator McCord presented a petition from Milton Carter, Post No. 487, Dept. Ind. G. A. R., of Monrovia, asking for the establishment of a State Soldiers' Home in Tippecanoe County.

Read and referred to the Committee on Military Affairs.

Senator McCutchan offered Senate Concurrent Resolution, No. 13, as follows:

MR. PRESIDENT:

*Resolved*, That the standing committees of the Senate shall meet in the State House and any actions taken at any other place shall not be considered by the Senate. *Second*, That the time and place of holding the sessions of the several committees shall be placed upon a bulletin board in the cloak room one hour before the adjournment of the Senate each day.

McCUTCHAN.

Which resolution was adopted.

Senator Shiveley presented a petition from W. E. Booth and other citizens and ex-soldiers of Wayne County, asking for the establishment of a State Soldiers' Home.

Read and referred to the Committee on Military Affairs.

Senator Collett presented a petition from Henry Richard and other citizens and ex-soldiers of Cass County, asking for the establishment of a State Soldiers' Home in Tippecanoe County.

Read and referred to the Committee on Military Affairs.

By request of Senator Vail, Senator Thayer was indefinitely excused from attending the sessions of the Senate on account of sickness.

Senator Alexander introduced Senate Bill No. 94 entitled :

A bill for an act regulating licenses of itinerant venders of goods, wares and merchandize, prescribing a penalty for its violation, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Baker introduced Senate Bill No. 95, entitled :

A bill for an act to establish a Superior Court in the county of Grant, defining its authority and jurisdiction, providing for the appointment, election and compensation of the Judge thereof, and providing for a vacancy in the office of Judge for said court.

Read the first time and referred to the Committee on Organization of Courts.

Senator Baker introduced Senate Bill No. 96, entitled :

An act to prohibit the sale of intoxicating liquors at any place within one mile from any Soldiers' Home maintained wholly or in part by the State of Indiana or the United States of America within the State of Indiana.

Read the first time and referred to the Committee on Temperance.

Senator Barnes introduced Senate Bill No. 97, entitled :

A bill for an act to provide for the erection and establishment of permanent meridian marks and lines upon the public grounds of counties within the State of Indiana at or near the county seats of such counties.

Read the first time and referred to the Committee on County and Township Affairs.



Senator Cranor introduced Senate Bill No. 98, entitled :

A bill for an act providing how and under what circumstances steam, water, gas and oil pipes, lines, mains and conduits may be laid down, constructed and maintained over, under, along or across the public highways and free gravel roads of the State, providing penalty for the violations thereof, and for the collection thereof, fixing the duties of certain officers, repealing conflicting laws and declaring an emergency.

Read the first time and referred to the Committee on Natural Gas.

Senator Duncan introduced Senate Bill No. 99, entitled :

A bill for an act to extend aid to the Indiana University, and declaring an emergency.

Read the first time and referred to the Committee on Education.

Senator Ellison introduced Senate Bill No. 100, entitled :

A bill for an act defining who shall be entitled to the benefits and subject to the provisions of the several laws of this State according to the relief that shall be granted orphan children, and for which associations have been formed under the voluntary associations laws of this State, and repealing all laws in conflict therewith.

Read the first time and referred to the Committee on Benevolent Institutions.

Senator Ellison introduced Senate Bill No. 101, entitled :

A bill for an act concerning drainage, the repairs of ditches and drains, and repealing all laws in conflict therewith.

Read the first time and referred to the Committee on Swamp Lands.

Senator Kern introduced Senate Bill No. 102, entitled :

A bill for an act providing for the relief and support of Union ex-soldiers and sailors in indigent circumstances.

Read the first time and referred to the Committee on Military Affairs.

Senator Kern moved to advance Senate Bill No. 102 to second reading.

The roll being called resulted as follows:

Those voting in the affirmative were:

Senators Barnes, Beck, Bird, Ellison, Gifford, Humphreys, Kern of Marion, Leyden, McDonald, McKelvey, McLean, O'Brien, Parker, Seller, Stuart, Sweeney and Wray. Total, 17.

Those voting in the negative were:

Senators Alexander, Baker, Bethell, Boyd, Bozeman, Cranor, Crumpacker, Duncan, Haggard, Holler, Houghton, Johnston, Kerns of Vermillion, LaFollette, McCutchan, McHugh, McManus, Mull, Newby, Phares, Rinear, Schneck, Self, Shiveley, Vail, Watson and White. Total, 27.

So the motion was lost.

It was moved by Senator Watson to refer Senate Bill No. 102 to the Committee on Military Affairs with request to report within one week.

Which motion prevailed.

Senator LaFollette introduced Senate Bill No. 103, entitled:

A bill for an act to authorize Boards of County Commissioners of counties where the contracts for the construction of court houses have been let and the construction has been commenced and entered upon, and where the proceeds of the sale of bonds of one per centum on the assessed value of the taxable property of such counties is insufficient to complete such buildings, to issue and sell county bonds to an amount not exceeding one per centum on the assessed valuation of the taxable property of such counties in addition to any bonds which may have heretofore been issued and sold, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Leyden introduced Senate Bill No. 104, entitled:

A bill for an act to amend section 2 of an act entitled, "An act supplemental to an act entitled an act to repeal all general

laws now in force for the incorporation of cities and to provide for the incorporation of cities, prescribing their power and rights and the manner in which they shall exercise the same, and to regulate such other matters as pertain thereto, approved March 14, 1876, providing for the appointment of Sinking-fund Commissioners for cities in certain cases, prescribing their powers and duties as such Commissioners, and declaring an emergency," approved February 23, 1889, and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

Senator McCutchan introduced Senate Bill No. 105, entitled :

An act entitled an act to amend section number one (1) of an act entitled an act to amend section number one (1) of an act entitled an act concerning the organizations and perpetuity of voluntary associations, and adding supplemental sections, and declaring an emergency, approved March 6, 1889, and declaring an emergency, approved March 9, 1891, and declaring an emergency, approved March 3, 1893, and declaring an emergency and a supplemental section, and declaring an emergency, and repealing all laws and parts of laws in conflict therewith.

Read the first time and referred to the Committee on Judiciary.

Senator McDonald introduced Senate Bill No. 106, entitled :

A bill for an act legalizing the appointment of Township Trustees by Boards of County Commissioners where the predecessors of the Trustees so appointed were of unsound mind at the time of such appointments.

Read the first time.

Senator McDonald moved that the constitutional rules requiring bills to be read on three several days be suspended and that the bill be read a second time by title, considered engrossed and read by sections a third time now.

The question being on the suspension of the constitutional rules.

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Cranor, Crumpacker, Duncan, Ellison, Haggard, Holler, Houghton, Humphreys, Johnston, Kerns of Vermillion, LaFollette, Leyden, McCord, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Watson, White, Wishard. Total, 42.

None voting in the negative.

So the constitutional rule was suspended and the bill read a second time by title, considered engrossed, and read a third time by sections.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Beck, Bethell, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Haggard, Holler, Houghton, Humphreys, Johnson, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McDonald, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Stuart, Sweeney, Watson, White, Wishard. Total, 37.

None voting in the negative.

So the bill passed.

The question being, Shall the title as read stand as the title of the act?

It was so ordered.

Senator McDonald introduced Senate Bill No. 107, entitled :

A bill for an act to amend section 1 of an act entitled an act to amend section 1 of an act entitled "An act regulating foreign insurance companies doing business in this State, prescribing the duties of the agents thereof, and of the Auditor of the State in connection therewith, and prescribing penalties for the violation of the provisions of this act, approved Decem-

ber 21, 1865, and adding supplemental sections thereto," approved March 3, 1877, and being section 2675 of the Revised Statutes of 1881, and repealing all laws in conflict therewith.

Read the first time and referred to the Committee on Public Printing.

Senator McKelvey introduced Senate Bill No. 108, entitled :

A bill for an act to amend section 114 of "An act concerning taxation, repealing all laws in conflict therewith and declaring an emergency, in force March 6, 1891," and for the repeal of sections 112 and 113 of said act, and all other laws and parts of laws in conflict therewith, and declaring an emergency.

Read the first time and referred to the Committee on County and Township Affairs.

Senator McLean introduced Senate Bill No. 109, entitled :

A bill for an act to amend section 2 of an act entitled, "An act to amend an act to create a State Normal School, and declaring an emergency, approved December 20, 1865, and adding supplemental sections thereto, and providing for certain appropriations," approved March 5, 1873.

Read the first time and referred to the Committee on Education.

Senator Newby introduced Senate Bill No. 110, entitled :

A bill for an act relating to the manufacture and sale of articles constructed in whole, or in part, of gold or silver, or any alloy, or imitation thereof, prescribing penalties, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Schneck introduced Senate Bill No. 111, entitled :

An act creating the office of Inspector of County Officers and Records, prescribing the duties thereof, providing penalties for certain offenses, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Seller introduced Senate Bill No. 112, entitled :

A bill for an act to repeal section two of an act entitled, "An act concerning elections and the contests thereof," approved April 21, 1881, being section 4679 of the Revised Statutes of 1881.

Read the first time and referred to the Committee on Elections.

Senator Seller introduced Senate Bill No. 113, entitled :

A bill for an act to amend section thirteen (13) of an act entitled "An act entitled an act to amend sections two (2), fifteen (15), nineteen (19), twenty-three (23), twenty-six (26), twenty-nine (29), thirty-four (34), forty-four (44), forty-five (45), forty-six (46), forty-seven (47), forty-nine (49), fifty-two (52) and sixty-five (65), of an act entitled an act concerning elections, providing penalties for the violation of the same, and repealing all laws in conflict therewith, approved March 6, 1889," approved March 6, 1891.

Read the first time and referred to the Committee on Elections.

Senator Shiveley introduced Senate Bill No. 114, entitled :

A bill for an act to amend section 474 of an act entitled "An act concerning proceedings in civil cases" (being section 589 of the Revised Statutes of 1881, and being section 598 of Burns' Revised Statutes of 1894), approved April 7, 1881.

Read the first time and referred to the Committee on Judiciary.

Senator Shiveley introduced Senate Bill No. 115, entitled :

A bill for an act to amend section 347 of "An act concerning proceedings in civil cases," approved April 7, 1881, being section 510 of the Revised Statutes of 1881, and being section 518 of Burns' Revised Statutes of 1894.

Read the first time and referred to the Committee on Judiciary.

Senator Stuart introduced Senate Bill No. 116, entitled :

A bill for an act to prohibit any officer of, or any other person connected with, any bank in this State, to receive any money, or commercial paper, as a deposit from any person or depositor, knowing such bank to be insolvent or in a failing condition, and providing penalties for the violation thereof, and repealing all conflicting laws.

Read the first time and referred to the Committee on Banks.

Senator Stewart introduced Senate Bill No. 117, entitled :

A bill for an act to prevent corrupt practices in elections, to limit the expenses of candidates, to prescribe the duties of candidates and political committees, and to provide penalties and remedies for the violation of this act, and to repeal all laws in conflict therewith.

Read the first time and referred to the Committee on Elections.

Senator Sweeney introduced Senate Bill No. 118, entitled :

A bill for an act to amend section 389 of an act concerning proceedings in civil cases, approved April 7, 1881, and designated as section 546 of the Revised Statutes of 1881.

Read the first time and referred to the Committee on Judiciary.

Senator Watson introduced Senate Bill No. 119, entitled :

A bill for an act providing for the relocation of county seats in counties of this State having an area of more than five hundred square miles. Authorizing and regulating the levy and collection of taxes and the issuing and sale of bonds by the trustees of the township where such county seat is relocated. To provide funds for the erection of court house and jail and for the erection of same, and defining the duties of certain officers therein named, prescribing punishments and penalties for the violation of its provisions, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Wishard introduced Senate Bill No. 120, entitled :

A bill for an act forbidding the location and construction of streets, alleys, highways, railroads, street railroads and electric railways through lands owned by cemeteries, dedicated to or purchased with a view to their being dedicated to burial purposes, in any county in this state wherein there is located a city having a population of more than one hundred thousand.

Read the first time and referred to the Committee on Affairs of the City of Indianapolis.

Senator Wishard introduced Senate Bill No. 121, entitled :

A bill for an act to pay G. E. Bond and G. W. Baker for cattle and other property destroyed by order of the State Board of Health, and declaring an emergency.

Read the first time and referred to the Committee on Claims.

Senator Seller introduced Senate Bill No. 122, entitled :

A bill for an act to provide for the settlement of guardianships between guardians and their wards, or other persons entitled, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Wishard introduced Senate Bill No. 123, entitled :

A bill for an act to regulate the soliciting and writing of life insurance and to prohibit discriminations in life insurance and to prevent life insurance companies, or officers, agents or representatives thereof, or other persons, from making contracts, agreements, promises or representations not expressed in the policy issued, and to prohibit the giving or offering of rebates or other inducements to insurance, and providing penalties for the violations thereof.

Read the first time and referred to the Committee on Insurance.

Senator Wishard introduced Senate Bill No. 124, entitled :

A bill for an act changing the name of the Mutual Life and Endowment Association of Indiana, to the name of "The



**Mutual Life Insurance Company of Indiana," and preserving all rights of said corporation and all rights to persons holding contracts with the same.**

**Read the first time and referred to the Committee on Insurance.**

**Senator Wishard introduced Senate Bill No. 125, entitled :**

**A bill for an act exempting from taxation the property of cemeteries organized under the laws of this State, upon a basis which prevents the corporation from deriving therefrom pecuniary benefit or profit.**

**Read the first time and referred to the Committee on Finance.**

**Senator McLean introduced Senate Bill No. 126, entitled :**

**A bill for an act to amend section 2 of an act entitled, "An act to create a State Normal School, and declaring an emergency," approved December 20, 1865.**

**Read the first time and referred to the Committee on Education.**

**Senator Gifford introduced Senate Bill No. 127, entitled :**

**A bill for an act empowering cities and towns within the State of Indiana to regulate the price and charges for the consumption of natural gas therein, and declaring an emergency.**

**Read the first time and referred to the Committee on Natural Gas.**

**Senator Holler, Chairman of the Committee on Agriculture, presented the following reports :**

**MR. PRESIDENT :**

**Your committee on Agriculture, to which was referred Senate Bills Nos. 66 and 67, begs leave to report the same back with the recommendation that the bills do pass.**

**C. HOLLER,  
Chairman.**

**The reports were concurred in.**

Senator Collett, Chairman of the Committee on County and Township Affairs, to which was referred, Senate Bill No. 14, made the following suggestions as to amendments of the bill.

In section 2, fix date for hearing not less than twenty (20) days from the time of filing, and provide how notice shall be given.

Insert a section providing for the correcting of the assessment when parties acting as commissioners are related to the parties whose lands are effected.

In section 14, provide that the interest on the bonds issued for such construction shall be made payable on the first day of June and the first day of December of each year.

In section 19, the compensation of all employes other than surveyor and engineer shall be not to exceed \$2 per day.

On motion of Senator McCord the bill with the foregoing suggestion is directed to be referred to the Committee on Roads.

M. W. COLLETT,  
Chairman.

And said report was by consent of the Senate referred to the Committee on Roads.

Senator Newby, Chairman of the Judiciary Committee, filed majority report of said committee, which read as follows:

MR. PRESIDENT:

A majority of your Committee on Judiciary would recommend that further action on Senate Bill No. 71 be indefinitely postponed.

L. P. NEWBY,  
SAMUEL PARKER,  
L. W. VAIL,  
O. N. CRANOR,  
CHAS. E. SHIVELEY.

Senator Kern of Marion, member of said committee, filed a minority report, which read as follows :

MR. PRESIDENT :

The undersigned, a minority of the Judiciary Committee, having had under consideration Senate Bill No. 71, begs leave to submit the following report :

Believing that no human agency should have legal authority to destroy human life, we recommend that the said bill be passed.

JOHN W. KERN,  
J. J. M. LAFOLLETTE.

Senator Gifford moved that the minority report be adopted in place of the majority report, and by agreement of the Senate the further consideration of this motion was postponed until to-morrow afternoon.

On motion of Senator Bird the Senate adjourned.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.

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## THURSDAY MORNING.

JANUARY 17, 1895.

Senate met with Lieutenant-Governor Nye in the Chair.

Prayer was offered by Rev. John H. Barth, of the Second German M. E. Church, Indianapolis.

After reading a portion of the Journal, on motion of Senator Parker the further reading of the same was dispensed with.

The President of the Senate announced that he had signed enrolled Senate Bill No. 10.

The following message was received from the House.

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 124, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 124, entitled :

A bill for an act to legalize all action of Notaries Public, whose commissions have expired, or who at the time of transacting any notarial business had no notary public commission or who have been ineligible to office, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Parker offered the following resolution :

WHEREAS, It has been charged by the independent daily press of the city of Indianapolis that the Principal Secretary of this Senate has not been permitted to select his assistants, but has been required to appoint them at the direction of what is popularly known on the majority side as "the Plundering Committee;" and,

WHEREAS, It has been further stated by said independent daily press that of the Engrossing Clerks so appointed two or more can not write a legible hand, and one, at least, can not copy in a plain and proper manner more than one page in two hours; and,

WHEREAS, It is all important that the work of the Engrossing Clerks be done well and quickly; therefore, be it

*Resolved*, That a committee of three Senators be appointed by the President, and that said committee determine in any practicable manner whether it be true that persons who are not competent to perform the duties of Engrossing Clerks are employed as such clerks, and if so, who they are, and that such committee make report in writing to this Senate by next Friday morning.

Senator Crumpacker moved to lay on the table.

Senators Parker and Gifford demanded the ayes and noes.

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Baker, Bethell, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Haggard, Holler, Houghton, Humphreys, Kerns of Vermillion, LaFollette, McCord, McManus, Mull, O'Brien, Phares, Schneck, Self, Shiveley, Vail and Watson. Total, 25.

Those voting in the negative were :

Senators Alexander, Barnes, Beck, Bird, Gifford, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Sweeney and Wray. Total, 18.

So the resolution was laid on the table.

Senator O'Brien, Chairman of the Committee on Cities and Towns, made the following report on Senate Bill No. 104.

MR. PRESIDENT :

Your Committee on Cities and Towns, having had under consideration Senate Bill No. 104, recommend that said bill do pass.

The report was adopted.

Senator Leyden moved that the bill be advanced and that the constitutional rule, requiring bills to be read on three several days, be suspended and that the bill be read a second time by title, considered engrossed and read by sections a third time now.

The question being on the suspension of the constitutional rule.

The roll being called resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, John-

ston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 45.

None voting in the negative.

So the constitutional rule was suspended and the bill read a second time by title, considered engrossed and read a third time by sections now.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boyd, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, Wray. Total, 42.

None voting in the negative.

So the bill passed.

The question being, Shall the title as read stand as the title of the act?

It was so ordered.

By unanimous consent Senator Seller offered Senate Concurrent Resolution No. 14, as follows :

*Resolved*, That committee reports making recommendations concerning Senate bills shall, in addition to giving the number of the bill, designate by name the Senator introducing such bill.

The resolution was adopted.

Senator Alexander offered Senate Concurrent Resolution No. 15, as follows :

*Resolved*, That the Committee on Fees and Salaries be and they are hereby authorized and empowered to subpoena all witnesses and compel their attendance and to testify before said

committee upon all matters pertaining to the subject matters of fees and salaries; also to compel the production before said committee, upon proper notice, all books, papers, records, and all other written or printed matter in reference to, and pertaining to the said subject matters of fees and salaries, and to administer all oaths necessary to be administered.

Senator Cranor offered the following amendment:

And that said committee be permitted to sit during the sessions of the body.

Senator Shiveley moved that the further consideration of this resolution be deferred until called up by the Committee on Fees and Salaries.

Which motion prevailed.

Senator Ellison, by request, presented a petition from Aaron Lischy and other citizens of Allen County praying that Notaries Public be empowered to solemnize marriages.

Read and referred to the Committee on Judiciary.

Senator Seller offered Senate Concurrent Resolution No. 16, as follows:

*Resolved*, That a special committee of five, a majority of whom, together with the Chairman, shall be chosen from among the majority of the Senate, be appointed by the President of the Senate to inquire into the feasibility, advisability and necessity of a revision of the Statute Laws of the State of Indiana.

Senator Shiveley moved to lay the resolution on the table.

Which motion was lost.

The resolution was then adopted.

The Chair appointed Senators Duncan, Seller, Cranor, Stuart and Shiveley as such committee.

Senator Haggard introduced Senate Bill No. 128, entitled:

A bill for an act authorizing cities and towns to issue bonds for the purpose of funding their indebtedness, or refunding the same, reducing the rate of interest on pre-existing obligations, compromising with any creditor or creditors, or taking up and cancelling bonds, notes or other obligations already due, or

which shall hereafter become due, and making it the duty of the Common Council of such cities, and Boards of Trustees of such towns, to levy taxes for the payment of the interest, and authorizing such cities and towns to provide sinking funds for the liquidation of principal of such bonds, and repealing all laws in conflict and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

Senator Kern, of Marion, introduced Senate Bill No. 129, entitled :

A bill for an act to amend section 3 of an act approved March 4, 1893, entitled "An act to regulate sewer improvements in towns and cities," and declaring an emergency.

Read the first time and referred to the Committee on Affairs of the City of Indianapolis.

Senator McCord introduced Senate Bill No. 130, entitled :

A bill for an act to amend section eighteen (18) of an act entitled "An act to authorize and regulate the incorporation of banks of discount and deposit in the State of Indiana, approved February 7, 1873."

Read the first time and referred to the Committee on Banks.

Senator McCutchan, by request, introduced Senate Bill No. 131, entitled :

A bill for an act for the reorganization of the Indiana Militia, prescribing regulations and penalties for violations thereof, providing for the election and appointment of officers, defining the rights and duties of civil and military officers, and penalties for neglect or violation thereof, providing for armories, courts-martial, councils of administration, boards of survey, military encampments, and the calling of the militia into active service, making annual appropriations for the support of the militia and other expenses, repealing all laws heretofore enacted on that subject, in conflict with the provisions of this act and declaring an emergency for the immediate taking effect thereof.

Read the first time and referred to the Committee on Military Affairs.



Senator McLean introduced Senate Bill No. 132, entitled :

A bill for an act making appropriations for the Indiana State Normal School, and declaring an emergency.

Read the first time and referred to the Committee on Education.

Senator McLean introduced Senate Bill No. 133, entitled :

A bill for an act to amend an act entitled "An act to amend section one (1) of an act entitled an act to amend section four (4) of an act entitled an act to amend an act entitled an act to create a State Normal School, and declaring an emergency, approved December 20, 1865, and adding supplemental sections thereto and providing for certain appropriations, approved March 5, 1873, and of the Revised Statutes, section 4556, and to repeal all laws in conflict therewith, approved March 2, 1883," approved March 6, 1891.

Read the first time and referred to the Committee on Education.

Senator Shiveley introduced Senate Bill No. 134, entitled :

A bill for an act to provide for the publication, distribution and preservation of the reports and papers of the Indiana Academy of Science.

Read the first time and referred to the Committee on Education.

Senator Shiveley introduced Senate Bill No. 135, entitled :

A bill for an act to repeal section 4 of an act entitled "An act concerning husband and wife," approved April 16, 1881 (being section 5119 of the Revised Statutes of 1881, and being section 6964 of Burns' Revised Statutes of 1894).

Read the first time and referred to the Committee on Judiciary.

Senator Vail introduced Senate Bill No. 136, entitled :

A bill for an act to amend an act entitled "An act authorizing the Common Councils of cities, organized under an act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribing

their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto, approved March 14, 1867, to divide the said cities into wards, to change the boundaries of existing wards and to re-district the same for ward purposes, providing for the publication of notice of such action, repealing all laws and parts of laws in conflict herewith and declaring an emergency, approved March 14, 1891;" authorizing the Common Councils of cities organized under the general laws of the State to divide the said cities into wards and voting precincts, and providing for publication of such action, and declaring an emergency and repealing all laws or parts of laws in conflict therewith.

Read the first time and referred to the Committee on Cities and Towns.

Senator Watson introduced Senate Bill No. 137, entitled:

A bill for an act for the relief of Reuben P. Main and appropriating money.

Read the first time and referred to the Committee on Claims.

Senator Wishard introduced Senate Bill No. 138, entitled:

A bill for an act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same among the several counties of the State, and to repeal all laws in conflict therewith.

Read first time and referred to Committee on Legislative Affairs and ordered printed.

Senator Wishard introduced Senate Bill No. 139, entitled:

A bill for an act to ratify and confirm the appointment of George W. Julian and William A. Meloy, as counsel and agents for the State of Indiana to procure a settlement of the claims of said State against the United States, for lands and money arising under and growing out of the acts of Congress of September 28, 1850, known as the Swamp Land Grant, and of March 2, 1855, and March 3, 1857, or either of them, and to provide for the compensation of said Julian and Meloy for such services, and declaring an emergency.

Read the first time and referred to the Committee on Claims.

Lieutenant-Governor Nye notified the Senate that he had signed Enrolled House Bill No. 1.

The Judiciary Committee made the following report on Senate Bill No. 6:

MR. PRESIDENT:

Your Judiciary Committee, to which was referred Senate Bill No. 6, introduced by Senator Shiveley, reports the same back with the recommendation that the bill do pass.

CHAS. E. SHIVELEY,  
LON W. VAIL,  
J. J. M. LAFOLLETTE,  
O. M. CRANOR,  
L. P. NEWBY,  
SAMUEL PARKER,  
JNO. W. KERN.

The report was concurred in.

Senator Newby moved that the constitutional rule requiring that bills be read on three several days be suspended, the bill read a second time by title, considered engrossed, read a third time by sections, and put upon its passage.

The question being on the suspension of the constitutional rule.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Barnes, Beck, Bethell, Bird, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Haggard, Holler, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneek, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, Wray. Total, 40.

None voting in the negative.

So the constitutional rule was suspended, the bill read a second time by title, considered engrossed and placed upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard, Wray. Total, 45.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title of the act ?

It was so ordered.

Senator McLean introduced Senate Bill No. 140, entitled :

A bill for an act for the incorporation of fire insurance companies in the State, defining their powers and prescribing their duties.

Read the first time and referred to the Committee on Insurance.

Senator Shiveley introduced Senate Bill No. 141, entitled :

A bill for an act entitled an act to amend section 256 of an act entitled, "An act concerning proceedings in civil cases," approved April 7, 1881, it being section 413 of the Revised Statutes of 1881, and being section 417 of Burns' Revised Statutes of 1894.

Read the first time and referred to the Committee on Judiciary.

The consideration of Senate Bill No. 71 having been set for this afternoon, was now taken up.

The question being, Shall the minority report be substituted for the majority report.

Senators Crumpacker and McCutchan demanded the ayes and noes.

Those voting in the affirmative were :

Senators Barnes, Beck, Bethell, Boyd, Gifford, Johnston, Kern of Marion, LaFollette, McCutchan, McKelvey, McLean, Rinear, Seller, Sweeney, Watson, Wray. Total, 16.

Those voting in the negative were :

Senators Alexander, Baker, Bird, Boord, Collett, Cranor, Crumpacker, Duncan, Ellison, Gostlin, Haggard, Holler, Houghton, Humphreys, Kerns of Vermillion, Leyden, McCord, McHugh, McManus, Mull, Newby, O'Brien, Parker, Phares, Schneck, Self, Shiveley, Stuart, Vail, White, Wishard. Total, 31.

So the motion was lost.

On motion of Senator Crumpacker, the majority report was adopted.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 4, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk of the House.

Engrossed House Bill No. 4, entitled :

A bill for an act entitled an act appropriating the sum of \$48,513.09 for the payment of the expenses of the Indiana Legion during the year 1894 and the incidental expenses connected therewith, and declaring an emergency.

House Bill No. 4 was read the first time and referred to the Committee on Military Affairs.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 81, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

By request Senator Stuart introduced Senate Bill No. 142, entitled:

A bill for an act providing that Circuit Courts may authorize employment of clerical assistants by Probate Commissioners, fixing in what manner such assistants shall be paid, and declaring an emergency.

Read the first time and referred to the Committee on the Affairs of the City of Indianapolis.

By request Senator Haggard introduced Senate Bill No. 143, entitled:

A bill for an act to amend sections one (1) and three (3) of an act entitled "An act to amend section three of an act entitled 'An act to regulate foreign insurance companies doing business in this State, prescribing the duties of the agents thereof, and of the Auditor of State, in connection therewith, and providing penalties for the violation of this act,' approved December 21, 1865," approved March 12, 1875, and known as section 4920, Burns' Revised Statutes, 1894.

Read the first time and referred to the Committee on Insurance.

The Judiciary Committee made the following report on Senate Bill No. 11:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 11, report the same back with the recommendation that the bill do pass.

L. P. NEWBY,  
Chairman.

Which report was adopted.

On motion of Senator Newby the Senate adjourned until to-morrow morning.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.

## FRIDAY MORNING.

JANUARY 18, 1895.

The Senate met pursuant to adjournment, the Lieutenant-Governor in the chair.

Rev. D. R. Lucas, of the Christian Church, offered prayer.

After the reading of a portion of the Journal, on motion of Senator Vail, the further reading of the same was dispensed with.

The President of the Senate announced that the Governor had signed Enrolled House Bill No. 1.

The Committee on Enrolled Bills made the following report:

MR. PRESIDENT:

The Committee on Enrolled Bills report that they have compared Senate Enrolled Bill No. 10 and report the same correct.

LOU W. VAIL,  
Chairman.

The report of the committee was concurred in.

The following communication was received from the House:  
MR. PRESIDENT:

I am directed by the House to inform the Senate that the Speaker has signed Enrolled Senate Bill No. 10.

R. A. BROWN,  
Clerk.

Senator Kern introduced Senate Bill No. 144, entitled:

A bill for an act to fix the salaries of the Judges of the Criminal Courts of this State and to provide for the time and manner of payment, and to repeal all laws in conflict therewith and declaring an emergency.

Read the first time and referred to the Committee on the Affairs of the City of Indianapolis.

Senator McCutchan introduced Senate Bill No. 145, entitled :

A bill for an act fixing the salaries of County Commissioners, prescribing penalties and declaring an emergency.

Read the first time and referred to the Committee on County and Township Affairs.

Senator Self introduced Senate Bill No. 146, entitled :

A bill for an act to amend section 5 of an act entitled "An act to amend an act entitled an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties and matters connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865, approved March 8, 1873," the same being section 4,433 of the Revised Statutes of 1881 of the State of Indiana, and declaring an emergency.

Read the first time and referred to the Committee on Education.

Senator Seller presented two newspaper clippings from the "Crawfordsville Journal," on the subject of Scientific Temperance Instruction in the Public Schools.

Read and referred to Committee on Temperance.

Senator Seller offered the following resolution :

*Resolved*, That when mail has been received at the Senate Postoffice it shall be the duty of the Postmaster of the Senate to cause the mail of each Senator to be immediately delivered at the desks of Senators present, whenever the Senate may be in session.

Senator Seller moved to lay the resolution on the table.

Which motion prevailed.

Senator Shiveley introduced Senate Bill No. 147, entitled :

A bill for an act to amend section 2 of an act entitled, "An act to amend sections 18, 19 and 21 of an act entitled, 'An act in relation to the laying out, opening, widening, altering and



vacation of streets, alleys and highways, and for straightening or altering of water courses by the cities of this State," etc., approved April 18th, 1885 (it being section 3648 of Burns' Revised Statutes of 1894).

Read the first time and referred to the Committee on Judiciary.

Senator Vail introduced Senate Bill No. 148, entitled :

A bill for an act to amend sections 1, 6 and 9 of an act entitled "An act to encourage the erection and operation of water-works in cities and towns by incorporated associations, and prescribing the powers and privileges of such corporations and the restrictions and liabilities to which they shall conform, and declaring an emergency," approved March 6, 1889."

Read the first time and referred to the Committee on Cities and Towns.

Senator Wray introduced Senate Bill No. 149, entitled :

A bill for an act to provide for free licenses to ex-soldiers and sailors of the United States, residing in the State of Indiana, to vend, hawk and peddle goods, wares, fruits and merchandise within any county of the State of Indiana, and providing a penalty for the violation of its provisions.

Read the first time and referred to the Committee on Military Affairs.

Senator Wray introduced Senate Bill No. 150, entitled :

A bill for an act to provide for the recovery of the possession of real property, to quiet title thereto, to limit the effect of the opinions of the Supreme Court relating to the same, and matters properly connected therewith, and to declare an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Schneck introduced Senate Bill No. 151, entitled :

A bill to create a system of reformatory prisons in the State of Indiana, and declaring an emergency.

Read the first time and referred to the Committee on Prisons.

Senator Holler introduced Senate Bill No. 152, entitled :

A bill for an act concerning voluntary associations for the purpose of insuring property against loss by fire and damages by lightning.

Read the first time and referred to the Committee on Insurance.

Senator Wishard introduced Senate Bill No. 153, entitled :

A bill for an act to amend section 2 of an act entitled "An act regulating liability of railroads and other corporations, except municipal, for personal injury to persons employed by them, fixing the rules of evidence which shall govern in such cases, and providing that the decisions or statutes of other States shall not be pleaded or proven as a defense in this State : *Provided, further,* That its provisions shall not apply to any injuries sustained before it takes effect, nor in any manner any suits or legal proceedings pending at the time it takes effect, and declaring an emergency," approved March 4, 1893.

Read the first time and referred to the Committee on Judiciary.

Senator Duncan offered Joint Resolution No. 2, as follows :

A joint resolution authorizing the return to Captain Robert R. Stewart of a battle flag captured by him and his command at Fort Anderson, N. C., in the spring of 1865, and now in the custody of the State Librarian.

WHEREAS, On the 21st day of February, 1865, Captain Robert R. Stewart, of Company A, 140 Regiment, Indiana Volunteers, charged upon Fort Anderson at Wilmington, N. C., and captured the rebel battle-flag of the garrison; and,

WHEREAS, Said flag was sent to the late Governor Morton, and was by him deposited temporarily in the office of the State Librarian, where it has since remained; and,

WHEREAS, Said flag was considered by Captain Stewart and his company as one of the trophies of war to which they were entitled under the rules of war; therefore be it,

*Resolved*, That the State Librarian of the State of Indiana, on proof of its identity, be instructed to return said flag to Captain Stewart on demand.

Read the first time and referred to the Committee on Military Affairs.

Senator Duncan introduced Senate Bill No. 154, entitled :

A bill for an act to amend section 2 of an act to authorize the change of county boundaries, and declare an emergency, approved March 10, 1875, and being section 4209 of the Revised Statutes of 1881.

Read the first time and referred to the Committee on County and Township Affairs.

Senator McCutchan, Chairman of Committee on Military Affairs, made the following report :

MR. PRESIDENT :

The committee to which was referred Senate Bill No. 1, introduced by Senator Haggard, begs leave to report and recommend that section 2 be amended by striking out the word "twenty," in line 8, and inserting in lieu thereof the word "five," and section 16, line 5, by striking out the words "one hundred and fifty thousand dollars" and inserting the words "one hundred thousand dollars," and when said amendments are made the committee recommend that the bill do pass.

A. J. McCUTCHAN,  
Chairman.

Which report was concurred in.

Senator Seller presented a newspaper clipping in reference to the changing of section 1990 of Burns' Revised Statutes of 1894.

Read and referred to the Committee on Judiciary.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 32, introduced by Senator Seller, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 38, introduced by Senator Seller, begs leave to report the same back to the Senate with the recommendations that the said bill be amended by inserting at line 22 thereof the following words, to wit : "*Provided*, The provisions of this act shall in nowise affect any pending litigation."

And that when said bill is so amended that the same do pass.

L. P. NEWBY,  
Chairman.

Said report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report on Senate Bill No. 9 :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 9, introduced by Senator Baker, begs leave to report the same back to the Senate with the recommendation that the further action on said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Wishard moved that when the Senate adjourns, it adjourn until Monday, January 21, which motion was adopted.

Senator Parker moved that the Senate now adjourn, which motion prevailed.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNIS,  
Assistant Secretary of the Senate.

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### MONDAY AFTERNOON.

JANUARY 21, 1895.

The Senate convened at 2 o'clock P. M., with President *pro tem.* Newby in the Chair.

Prayer was offered by Rev. C. N. Sims, of Meridian Street M. E. Church.

After the reading of a portion of the Journal, on motion of Senator McCutchan the further reading of the same was dispensed with.

Senator Haggard, Chairman of the Committee on Finance, made the following report :

MR. PRESIDENT :

The committee to which was referred the resolution introduced by Senator Haggard concerning the construction of a ship canal begs leave to report and recommend the appointment of a committee for the purposes set forth in said resolution.

HAGGARD,  
Chairman.

The report was concurred in.

The President *pro tem.* of the Senate appointed the following committee, being composed of :

Senators Shiveley, McLean and Haggard.

Senator Boyd offered the following Senate resolution :

MR. PRESIDENT :

I desire to introduce the following resolution :

WHEREAS, Under the rules and management of the Female Reformatory, responsible and reputable lawyers of this city and elsewhere have been refused the privilege of private consultation with clients, who are prisoners and confined in said institution, in matters concerning their own private business ; therefore, be it

*Resolved*, That it is the sense of this Senate that such rule is in direct and open conflict with section 60 of the Constitution of the State of Indiana, which provides :

No person arrested or confined in jail shall be treated with unnecessary rigor.

Which resolution was adopted.

Senator McCutchan, Chairman of Committee on Military Affairs, made the following majority report on Engrossed House Bill No. 4 :

MR. PRESIDENT :

The Committee on Military Affairs, to whom was referred House Bill No. 4, being a bill for an act, entitled an act appropriating the sum of \$48,518.09 for the payment of expenses of the Indiana Legion during the year 1894, and the incidental expenses connected therewith, and declaring an emergency, have had the same under consideration, and have directed me to report the bill back to the Senate, with the recommendation that the bill do pass.

A. J. McCUTCHAN,  
Chairman.

Which report was concurred in.

Senator McLean moved that the constitutional rule requiring bills to be read on three several days be suspended, and that the bill be read a second time by title and read a third time by sections now.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were:

Senators Alexander, Barnes, Beck, Bird, Boyd, Collett, Cranor, Duncan, Ellison, Gifford, Haggard, Holler, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Rinear, Schneck, Seller, Shiveley, Stuart, Sweeney, Watson, White, Wishard, Wray. Total, 37.

None voting in the negative.

So the constitutional rule was suspended and the bill read a second time by title and a third time by sections.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Barnes, Beck, Bird, Boord, Boyd, Collett, Cranor, Duncan, Ellison, Gifford, Haggard, Holler, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Rinear, Schneck, Seller, Shiveley, Stuart, Sweeney, Watson, White, Wishard, Wray. Total, 38.

None voting in the negative.

So the bill passed.

The question being, Shall the title as read stand as the title of the act?

It was so ordered.

Senator McKelvey presented a petition signed by L. D. Marley, and (12) twelve other citizens and ex-soldiers of La-Fayette, asking for the establishment of a State Soldiers' Home in Tippecanoe County.

Read and referred to the Committee on Military Affairs.

Senator Wishard, Chairman of the Committee on the Affairs of the City of Indianapolis, made the following report:

MR. PRESIDENT:

Your Committee on Affairs of the City of Indianapolis, to which was referred Senate Bill No. 129, introduced by Senator Kern of Marion, begs leave to report the same back to the Senate, with the recommendation that the bill do pass.

ALBERT W. WISHARD,  
Chairman.

The report of the committee was concurred in.

Senator Wishard, Chairman of the Committee on Affairs of the City of Indianapolis, made the following report:

MR. PRESIDENT:

Your Committee on Affairs of the City of Indianapolis, to which was referred Senate Bill No. 48, introduced by Senator Kern of Marion, begs leave to report the same back to the Senate, with the recommendation that the bill do pass.

ALBERT W. WISHARD,  
Chairman.

The report of the committee was concurred in.

Senator Humphreys, Chairman of the Committee on Enrolled Bills, presented the following report:

MR. PRESIDENT:

The Committee on Enrolled Bills hereby report that Enrolled House Bill No. 4 has been by it carefully read and examined and the same is found correct.

HUMPHREYS,  
Chairman.

The report of the committee was concurred in.



Senator Wishard, Chairman of the Committee on the Affairs of the City of Indianapolis, made the following report:

**MR. PRESIDENT:**

Your Committee on the Affairs of the City of Indianapolis, to which was referred Senate Bill No. 120, introduced by Senator Wishard, begs leave to report the same back to the Senate with the recommendation that the bill do pass.

ALBERT W. WISHARD,  
Chairman.

The report was concurred in.

Senator Wishard, Chairman of the Committee on Affairs of the City of Indianapolis, made the following report:

**MR. PRESIDENT:**

Your Committee on the Affairs of the City of Indianapolis, to which was referred Senate Bill No. 4, introduced by Senator Stuart, begs leave to report the same back to the Senate, with the recommendation that the bill do pass.

ALBERT W. WISHARD,  
Chairman.

• The report was concurred in.

Senator McLean presented a memorial from Henry A. Urban, manager of the Terre Haute Shovel and Tool Works Company, relative to the employment of convict labor.

Referred to the Committee on Rights and Privileges without reading.

Senator Boyd introduced Senate Bill No. 155, entitled:

A bill for an act fixing the compensation and prescribing the duties of certain State and county officers, and providing penalties for the violation of its provisions, and repealing all laws and parts of laws in conflict with the same, and declaring an emergency.

Read the first time and referred to the Committee on Fees and Salaries.

Senator Boyd introduced Senate Bill No. 156, entitled :

A bill for an act providing for the compensation of attorneys in suits which they have been employed to bring, compromised without payment or tender of a reasonable fee.

Read the first time and referred to the Committee on Judiciary.

Senator Boyd (by request) introduced Senate Bill No. 157, entitled :

A bill for an act repealing provision two (2) of section ten (10) of an act creating an Appellate Court and defining its jurisdiction, approved February 28, 1891.

Read the first time and referred to the Committee on Organization of Courts.

Senator Collett introduced Senate Bill No. 158, entitled :

A bill for an act regulating the office of County Assessors, limiting time of service, repealing all laws in conflict therewith, and declaring an emergency.

Read the first time and referred to the Committee on County and Township Business.

Senator Collett introduced Senate Bill No. 159, entitled :

A bill for an act to amend section 2 of an act approved March 8th, 1873, entitled "An act to amend an act entitled an act to provide for a general system of common schools, the officers thereof and their respective powers and duties and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6th, 1865, and adding supplemental sections thereto, being section 4424 of the Revised Statutes of 1881, regulating the election of County Superintendent and their terms of office, fixing the time when they shall go into office, repealing all laws in conflict therewith, and declaring an emergency.

Read the first time and referred to the Committee on County and Township Business.

Senator McHugh introduced Senate Bill No. 160, entitled :

A bill for an act entitled "An act authorizing a change of use in the lot of ground appropriated to the citizens of Indianapolis as a public burying ground by an act of the General Assembly of the State of Indiana, approved December 31, 1822, entitled 'An act giving the citizens of Indianapolis a public burying ground,' and dedicating said lot of ground and all the real estate between it and the White River to the city of Indianapolis, Indiana, for a public park, upon the conditions precedent that said city shall first procure the burying ground lying between said lot of ground and Kentucky Avenue for public park purposes and shall disinter the bodies in said lot of ground and reinter them in a suitable cemetery near said city of Indianapolis.

Read the first time and referred to the Committee on Affairs of the City of Indianapolis.

Senator McManus introduced Senate Bill No. 161, entitled :

A bill for an act to authorize cities containing a population of ten thousand or more to create the office of Police Matron, and to provide for compensation of same.

Read the first time and referred to the Committee on Judiciary.

Senator O'Brien introduced Senate Bill No. 162, entitled :

A bill for an act defining the Fortieth Judicial Circuit, and fixing the time for holding court therein, and other matters relating thereto, and declaring an emergency.

Read the first time and referred to the Committee on Organization of Courts.

Senator Shiveley introduced Senate Bill No. 163, entitled :

A bill for an act to amend sections 4, 5 and 10 of an act to amend an act entitled, "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and

to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865, and adding supplemental sections thereto, approved March 8, 1873." The same being sections 4431, 4472 and 4475, of the Revised Statutes of 1881, and declaring an emergency.

Read the first time and referred to the Committee on Education.

Senator Shiveley introduced Senate Bill No. 164, entitled :

A bill for an act to amend an act entitled, "An act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers named therein, and for the establishment and regulation of township libraries, and to repeal all laws in conflict therewith, providing penalties prescribed therein," approved March 6, 1865, and adding supplemental sections thereto, amended March 8, 1873, and being section 4424 of the Revised Statutes of 1881, and section 5900 of the Burns' Revision of the Statutes of 1894.

Read the first time and referred to the Committee on Education.

Senator Kern called up Senate Bill No. 48 on second reading and offered the following amendment :

MR. PRESIDENT :

I move to amend Senate Bill No. 48 as follows :

1. By amending the title by inserting after the words "one hundred and eighteen" in the title the words "and one hundred and twenty-five."

2. By adding section 2 to said bill to read as follows :

SEC. 2. That section 125 of said act be amended so as to read as follows :

Section 125. The salary of the Police Judge shall be two thousand five hundred dollars per annum, payable quarterly, as the salaries of the other city officers are paid.

The Chair ruled that the consideration of this bill was not in order as the bill had not been printed.

On motion of Senator Seller the amendment was ordered printed with the bill.

Senator Boord introduced Senate Bill No. 165, entitled :

A bill for an act to amend section twelve (12) of an act of the General Assembly of the State of Indiana entitled "An act for the incorporation of building, loan fund and savings associations," being an act by lapse of time without Governor's signature, March 11, 1885.

Read the first time and referred to the Committee on Corporations.

Senator McManus presented a petition from N. R. Ruckle and others asking for the appointment of Police Matrons at station houses and jails in cities of over 10,000 inhabitants.

Read and referred to the Committee on Judiciary.

Senator Stuart made the following motion :

MR. PRESIDENT:

I move that the copy of Senate Rules as printed and laid on the desks of Senators be returned to the printers to correct the spelling of the names of Senators Cranor and Stuart.

Senator Kern moved to lay on the table.

Which motion prevailed.

Senator Baker moved that the Secretary of the Senate be instructed to have the printed bills folded before laying them on the desks of Senators.

Which motion was lost.

Senator McLean presented a petition from James C. Veatch and others of Spencer County asking for the establishment of the State Soldiers' Home at Lincoln City.

Referred to the Committee on Military Affairs without reading.

Senator Wishard offered the following resolution:

*Resolved*, That the Assistant Secretary be authorized and directed to issue warrants for the pay of the employes of the Senate at the maximum rate provided by law.

The resolution was adopted.

On motion of Senator Boyd the Senate adjourned.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.

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## TUESDAY MORNING.

JANUARY 22, 1895.

The Senate met pursuant to adjournment with Lieutenant-Governor Nye in the chair.

Rev. J. W. Carr, of the African Baptist Church, offered prayer.

After the reading of a portion of the Journal, on motion of Senator Barnes, the further reading of the same was dispensed with.

Senator Sweeney presented two petitions from ex-soldiers and citizens of Dubois County asking that a State Soldiers' Home be established.

Read and referred to the Committee on Military Affairs.

Senator Bozeman presented a petition from citizens and ex-soldiers of Gibson County, asking for the establishment of a State Soldiers' Home in Tippecanoe County.

Read and referred to the Committee on Military Affairs.

Senator Ellison offers the following resolution :

WHEREAS, The people of Indiana, as well as those of the Nation, have observed with much concern the struggle that has been taking place during the past few years between the operatives of railroads, street car companies, factories and shops on the one hand and the corporations who manage such industries and enterprises on the other; and

WHEREAS, There is even to-day such a contest going on in several of the cities of our own State, and also in other large cities, and while such contest was going on during the past summer blood was shed within the borders of our own State, and great injury was done to our citizens and the commerce of the country; and

WHEREAS, The Congress of the United States is even now considering the matter in the national aspect; and

WHEREAS, The great State of Indiana, through its Legislature, desires that all men and all property should be protected, and that all their and its rights be maintained when within her borders, and that which her laws are known to be as good as the best any State has enacted to secure justice and equity to all classes, yet she desires that if there be anything she can yet do to make those rights more secure and person and property more contented, prosperous and happy, that she be informed of it and enabled to perform her duties as one of the foremost States of the Union; therefore,

*Be it resolved by the Senate of the General Assembly of Indiana,* That its Committee on Corporations shall forthwith proceed to investigate the subject as to whether or not the General Assembly of the State of Indiana should enact at this session any legislation to further protect and make more secure the rights of labor or capital in this State. And whether or not any tribunal shall be established to give its particular attention to the contentions that are arising between employes and employers, and if so, what rights, duties and powers it should possess, how and in what cases its authority shall or can be invoked, and that such committee report its conclusions to this Senate as soon as the nature of its duties will permit.

ELLISON.

Read and adopted and referred to the Committee on Corporations.

Senator Newby offered the following resolution :

*Resolved*, That 200 copies shall be printed of each bill required to be printed, except when otherwise ordered by the Senate.

Which resolution was adopted.

Senator Alexander introduced Senate Bill No. 166, entitled :

A bill for an act regulating descents and the apportionment of estates, and defining the rights of second or subsequent childless wives and the rights of children by former wives and legalizing conveyances heretofore made by such childless wives, also conveyances made by children by former wives or their guardians, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Senator Alexander introduced Senate Bill No. 167, entitled :

A bill for an act repealing section 3 of an act entitled an act to provide for the recording of wills and orders of court in certain cases, approved March 9th, 1891, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Bird introduced Senate Bill No. 168, entitled :

A bill for an act to protect domestic animals, domestic fowls, providing for the registration and taxation of dogs, providing for the killing of certain dogs, and providing penalties for the violation of this act, and providing for the redistribution of the surplus, and prescribing penalties for the violation of this act, and other matters connected therewith; repealing sections 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 of an act in force March 7, 1883, being "An act to provide for taxation of dogs and matters connected therewith, etc.," and section 1 of an act approved April 8, 1885, being "An act to amend section 8 of an act to provide for taxation of dogs and matters connected therewith," etc., in force March 7, 1883, and sections 47 and 236 of an act approved March 6, 1891, being "An act concerning taxation, re-



pealing all laws in conflict therewith, and declaring an emergency," and sections 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 of an act approved March 5, 1891, being "An act to protect domestic animals and to regulate matters connected therewith, to provide for the taxing and registration of dogs and providing penalty for violation thereof," etc., and declaring an emergency.

Read the first time and referred to the Committee on Agriculture.

Senator Boord introduced Senate Bill No. 169, entitled :

A bill for an act concerning public offenses and their punishment.

Read the first time and referred to the Committee on Corporations.

Senator Collett introduced Senate Bill No. 170, entitled :

Item for general appropriation bill.

Read the first time and referred to the Committee on Benevolent Institutions.

Senator Collett introduced Senate Bill No. 171, entitled :

A bill for an act providing for the construction and equipment of two annexes at the Northern Hospital for Insane, at Logansport, for the separate accommodation of violent, dangerous and noisy patients, and declaring an emergency.

Read the first time and referred to the Committee on Benevolent Institutions.

Senator Duncan introduced Senate Bill No. 172, entitled :

A bill for an act in relation to changes of venue, and to repeal all laws conflicting therewith, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Humphreys introduced Senate Bill No. 173, entitled :

A bill for an act to amend section 3 of an act entitled "An act relative to the printing, binding and distribution of the session acts, House, Senate and Documentary Journals; declaring who shall be entitled to a copy of the same; authorizing the Secretary of State to dispose of copies of acts by sale when called for; and allowing such Secretary a compensation for superintending such printing, binding and distribution," approved March 7, 1857, and being section 5596 of the revised Statutes of 1881.

Read the first time and referred to the Committee on Judiciary.

Senator Kern by request introduced Senate Bill No. 174, entitled :

A bill for an act making an appropriation to pay William H. Drapier for Brevier Legislative Reports of the Debates and Proceedings of the Fifty-first, Fifty-second and Fifty-third General Assemblies of the State of Indiana, in accordance with a judgment rendered in his favor by the Circuit Court of Marion County in said State, also to pay said Drapier two unpaid warrants on the Auditor of State, issued to him by the Senate of Indiana for said Brevier Reports for the Fifty-fourth General Assembly of said State, and declaring an emergency.

Read the first time and referred to the Committee on Finance.

Senator McCutchan introduced Senate Bill No. 175, entitled :

A bill for an act to appropriate two thousand nine hundred thirty-four dollars and four and one-half cents (\$2,934.04½) to reimburse Stephen A. Bates for money and material expended in addition to contract price for the erection of public buildings, and declaring an emergency.

Read the first time and referred to the Committee on Claims.

Senator McDonald introduced Senate Bill No. 176, entitled :

A bill for an act for the protection of public ditches and drains.

Read the first time and referred to the Committee on Swamp Lands and Drains.

Senator Newby introduced Senate Bill No. 177, entitled :

A bill for an act relating to proceedings in civil cases, and relating to the foreclosure of leins and the mode and manner of service of notice, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Self introduced Senate Bill No. 178, entitled :

A bill for an act to amend section one hundred and ninety of an act entitled "An act concerning public offenses and their punishment," the same being section 2098 of the Revised Statutes of the State of Indiana.

Read the first time and referred to the Committee on Temperance.

Senator Seller introduced Senate Bill No. 179, entitled :

A bill for an act to amend section 1 of an act entitled "An act to amend section 97 of an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865, and declaring an emergency," approved March 9, 1889, and declaring an emergency.

Read the first time and referred to the Committee on County and Township Business.

Senator Seller introduced Senate Bill No. 180, entitled :

A bill for an act making it the duty of Township Trustees to register all township orders and to post up a statement of the same once each year, and prescribing penalties.

Read the first time and referred to the Committee on County and Township Business.

Senator Shiveley introduced Senate Bill No. 181, entitled :

A bill for an act authorizing depositions to be taken, to probate wills.

Read the first time and referred to the Committee on Judiciary.

Senator Shiveley introduced Senate Bill No. 182, entitled :

A bill for an act for the protection of hotel keepers, inn keepers and boarding and eating house keepers, making it unlawful for any persons failing or refusing to pay such hotel, inn, boarding and eating house keepers for accommodations received, and providing penalties therefor.

Read the first time and referred to the Committee on Judiciary.

Senator Stuart introduced Senate Bill No. 183, entitled :

A bill for an act fixing the compensation and prescribing the duties of certain State and county officers, and providing penalties for the violation of its provisions.

Read the first time and referred to the Committee on Fees and Salaries.

Senator Sweeney introduced Senate Bill No. 184, entitled :

A bill for an act compelling insurance companies to pay the insured the full amount of policy in case of total loss by fire or lightning, and to pay the full amount of partial loss in case of partial loss and providing for attorney's fees on such obligations, and declaring an emergency.

Read the first time and referred to the Committee on Insurance.

Senator Haggard introduced Senate Bill No. 185, entitled :

A bill for an act relating to the manufacture and sale of articles constructed in whole or in part of gold or silver, or any alloy, or imitation thereof, prescribing penalties, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Collett introduced Senate Bill No. 186, entitled :

A bill for an act to amend section nine (9) of an act entitled, "An act concerning highways and supervisors thereof," approved March 2, 1883, repealing all laws in conflict therewith, and declaring an emergency.

Read the first time and referred to the Committee on Roads.

Senator Houghton offered the following resolution :

MR. PRESIDENT :

*Resolved*, That the Committee on Elections of the Senate, be, and the same is hereby authorized and empowered to sit in the city of Bluffton, in Wells County, and the city of Huntington, in Huntington County, and take and hear the testimony of such witnesses as may be produced before it in the contest case of Adam Foust, against John W. Rinear, for a seat in this Senate; and that said committee be empowered to compel the attendance of persons and papers before it.

Which resolution was adopted.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 45, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Senator Alexander introduced Senate Bill No. 187, entitled :

A bill for an act repealing section 279 of an act entitled an act concerning proceedings in civil cases, approved April 7, 1881, being section 501 of the Revised Statutes of 1881, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Mull introduced Senate Bill No. 188, entitled :

A bill for an act entitled an act prescribing certain duties of persons, firms and corporations operating telephone exchanges and toll lines, regulating the price to be charged for the use of the same, providing penalties for the violation thereof, and declaring an emergency.

Read the first time and referred to the Committee on Corporations.

Senator Phares introduced Senate Bill No. 189, entitled :

A bill for an act to prevent blindness in children and providing a penalty therefor.

Read the first time and referred to the Committee on Public Health.

Senator Seller introduced Senate Bill No. 190, entitled :

A bill for an act to amend sections one and three of an act entitled an act relative to the printing, binding and distribution of the session acts, House, Senate and Documentary Journals, declaring who shall be entitled to a copy of the same, authorizing the Secretary of State to dispose of copies of acts by sale, when called for, and allowing such Secretary a compensation for superintending such printing, binding and distribution, approved March 7, 1857, such sections being sections 5594 and 5596 of the Revised Statutes of 1881.

Read the first time and referred to the Committee on Judiciary.

Senator Shiveley offered Joint Resolution No. 3, as follows :

MR. PRESIDENT :

I move the adoption of the following :

*Resolved*, That the following be added to Joint Rule No. 17 :  
 "And also refer to the like section as contained in Burns' Revised Statutes of 1894."

Which joint resolution was adopted.

Senator Newby, Chairman of the Judiciary Committee, made the following report on Senate Bill No. 111 :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 111, introduced by Senator Schneck, begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
 Chairman.

Senator Schneck moved for non-concurrence in report of committee.

Which motion was lost.

The question now being upon the adoption of the report.

The roll being called resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Beck, Bethell, Bird, Boord, Boyd, Collett, Duncan, Gifford, Gostlin, Haggard, Houghton, Humphreys, Johnston, Kern of Marion, LaFollette, Leyden, McCord, McCutchan, McKelvey, McLean, McManus, Newby, O'Brien, Parker, Seller, Shiveley, Watson, White, Wray. Total, 30.

Those voting in the negative were :

Senators Barnes, Bozeman, Ellison, Kerns of Vermillion, McDonald, McHugh, Schneck, Self, Stuart, Sweeney. Total, 10.

So the report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 70, introduced by Senator Gifford, begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 39, introduced by Senator Wishard, begs leave to report the same back to the Senate, with the recommendation that further action on said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

The Judiciary Committee made the following reports on Senate Bill No. 56:

MR. PRESIDENT:

A majority of your Committee on Judiciary, to which was referred Senate Bill No. 56, introduced by Senator Shiveley, begs leave to report the same back to the Senate, with the recommendation that further action on said bill and on the bill substituted therefor be indefinitely postponed.

L. P. NEWBY,  
J. J. M. LAFOLLETTE,  
SAMUEL PARKER,  
O. N. CRANOR.

MR. PRESIDENT:

A minority of your Committee on Judiciary, to which was referred Senate Bill No. 56, introduced by Senator Shiveley,



begs leave to report the same back to the Senate with a substitute therefor, with the recommendation that said substitute bill do pass.

CHAS. E. SHIVELEY,  
JOHN W. KERN.

Said substitute is as follows :

A bill for an act authorizing the appointment of Humane Inspectors by County Commissioners, and providing for their compensation.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That whenever there is a regularly incorporated society or organization for the enforcement of the humane laws of the State in any county, and whenever such society, through its authorized President and Board of Directors, shall, in writing, petition for the appointment of a Humane Inspector, then the Board of County Commissioners of such county may, within thirty days after the receipt of such a petition, appoint a Humane Inspector for said county, and allow such Inspector a salary of not less than one hundred dollars nor more than eight hundred dollars per annum, payable monthly out of the general funds of the county, to be fixed by the said County Commissioners as in their best judgment they may deem right and proper: *Provided*, This section shall not apply to any county in which there is already or may hereafter be a Humane Inspector appointed by any town or city therein.

Sec. 2. Said Humane Inspector shall earnestly, carefully and closely inquire into and investigate all infractions and violations of the humane laws of the State that may be reported to him or come to his knowledge, and he shall report to the Prosecuting Attorney of such county all such violations, and when any such violations are committed within his view to then and there make arrests of the offender or offenders and take them before a Justice of the Peace, Mayor of the city or other proper court of the county, then and there to answer such charge as said Inspector may file against him.

On motion of Senator Shiveley both reports were referred to a special committee.

The President of the Senate appointed as such committee Senators Shiveley, Ellison, LaFollette, Gifford and Holler, to whom said reports were referred.

The Judiciary Committee made the following reports:

MR. PRESIDENT:

A majority of your Committee on Judiciary, to which was referred Senate Bill No. 68, introduced by Senator McCutchan, begs leave to report the same back to the Senate with the recommendation that further action on said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

MR. PRESIDENT:

A minority of your Committee on Judiciary, to which was referred Senate Bill No. 68, introduced by Senator McCutchan, begs leave to report the same back to the Senate with the recommendation that the same do pass.

SAMUEL PARKER.

Senator Parker moved to substitute the minority report for the majority report.

Senator Boyd moved to refer the bill back to the Judiciary Committee.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Bethell, Bird, Boyd, Collett, Gostlin, Holler, Phares, Schneck, Shiveley, Stuart. Total, 10.

Those voting in the negative were:

Senators Alexander, Baker, Barnes, Beck, Bozeman, Cranor, Duncan, Ellison, Gifford, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Rinear, Self, Seller, Sweeney, Vail, Watson, White, Wray. Total, 35.

So the motion to recommit was lost.

The question being on the adoption of the minority report.

The roll was called, which resulted as follows:

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Bozeman, Collett, Duncan, Ellison, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, Leyden, McCord, McCutchan, McDonald, McKelvey, McLean, Mull, Parker, Phares, Rinear, Self, Stuart, Sweeney, White. Total, 29.

Those voting in the negative were :

Senators Boyd, Cranor, Gifford, Gostlin, Höller, LaFollette, McHugh, McManus, Newby, O'Brien, Schneck, Seller, Shiveley, Vail, Watson, Wray. Total, 16.

So the minority report was adopted.

Senator Newby, Chairman of the Judiciary Committee, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 54, introduced by Senator Parker, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was adopted.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 24, introduced by Senator Johnston, begs leave to report the same back to the Senate with a substitute therefor, with the recommendation that said substitute bill do pass.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 57, introduced by Senator Stuart, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 52, introduced by Senator McDonald, begs leave to report the same back to the Senate, with the recommendation that further action on the bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was adopted.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 114, introduced by Senator Shiveley, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Kerns, Chairman of the Committee on Roads, made the following report:

MR. PRESIDENT:

Your Committee on Roads, to which was referred Senate Bill No. 22, introduced by Senator Sellers, has taken the

same under advisement, and recommends that section 1 of the bill be amended by adding the following proviso: *Provided*, The provisions of this act shall not apply where the fencing of such abandoned portion of such highway would deprive any person owning land along such abandoned highway from access to his land over a highway," and report that when the bill is so amended that the same do pass.

WM. F. KERNS,  
Chairman.

Which report was concurred in.

Senator Collett, Chairman of the Committee on County and Township Affairs, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Affairs, to which was referred Senate Bill No. 88, introduced by Senator Sellers, begs leave to report the same back to the Senate, with the recommendation that it do pass.

M. W. COLLETT,  
Chairman.

Which report was concurred in.

Senator Kerns, Chairman of the Committee on Roads, made the following report:

MR. PRESIDENT:

Your committee, to which was referred Senate Bill No. 84, have had the same under consideration and recommend that the bill do not pass.

W. F. KERNS,  
Chairman.

On motion of Senator LaFollette, the bill was referred back to the Committee on Roads.

Senator Cranor introduced Senate Bill No. 191, entitled:

A bill for an act to divide the State of Indiana into Congressional districts and repealing all laws and parts of laws in conflict therewith.

Read the first time and referred to the Committee on Congressional Apportionment.

Senator Collett introduced Senate Bill No. 192, entitled :

A bill for an act to amend section 255 of an act entitled, "An act concerning proceedings in civil cases," approved April 7, 1881, and being section 412 of the Statutes of 1881, State of Indiana, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Alexander introduced Senate Bill No. 193, entitled :

A bill for an act to amend section one of an act entitled an act to amend section one of an act entitled an act to amend an act entitled an act authorizing the appointment of short-hand reporters for certain courts of record in this State, in counties containing a population of 70,000 or more, and prescribing the duties and compensation of such reporters, approved March 10, 1875, approved March 5, 1877, approved April 14, 1881, being section 1405 of the Revised Statutes of 1881, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator LaFollette introduced Senate Bill No. 194, entitled :

A bill for an act defining the Twenty-sixth Judicial Circuit, and creating and defining the Fifty-seventh Judicial Circuit, and fixing the times for holding courts therein, and other matters pertaining thereto.

Read the first time and referred to the Committee on Organization of Courts.

Senator Newby introduced Senate Bill No. 195, entitled :

A bill for an act to appropriate the sum of fourteen hundred and nineteen (\$1,419) dollars to reimburse Robert T. Overman for money expended in addition to the contract price, for the erection of public buildings at the Indiana Soldiers' and Sailors' Orphans' Home, near Knightstown, Indiana.

Read the first time and referred to the Committee on Claims.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 25, introduced by Mr. Spitler, and the same is hereby transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 25, entitled :

A bill for an act to legalize the incorporation of the town of Wheatfield, in Jasper County, in the State of Indiana, and to legalize the election and qualification of each and every officer and each and every official act of the several boards of trustees of said town, and of each and every officer thereof, and to legalize and make valid all acts, by-laws, ordinances, resolutions, rules and regulations adopted by said boards of trustees, and declaring an emergency.

Read the first time.

Senator Phares moved that the constitutional rule, requiring bills to be read on three several days, be suspended and that the bill be read a second time by title and read a third time by sections now.

The question being on the suspension of the constitutional rule.

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Bozeman, Collett, Crumpacker, Duncan, Gifford, Gostlin, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 42.

None voting in the negative.

So the constitutional rule was suspended, and the bill was read a second time by title, a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boyd, Bozeman, Collett, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 46.

None voting in the negative.

So the bill passed.

The question being, Shall the title as read stand as the title of the act.

It was so ordered.

On motion of Senator Kern the Senate adjourned.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.

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WEDNESDAY MORNING.

JANUARY 23, 1895.

The Senate convened at 10 o'clock A. M., Lieutenant-Governor Nye in the chair.

Prayer was offered by Rev. John C. Marting, of the German Methodist Episcopal Church.

After the reading of a portion of the Journal, on motion of Senator McDonald the further reading of the same was dispensed with.



Senator Self presented a petition from L. C. Wright and other citizens and ex-soldiers of Orange County, asking for the establishment of a State Soldiers' Home in Tippecanoe County.

Read and referred to the Committee on Military Affairs.

Senator Alexander introduced Senate Bill No. 196, entitled :

A bill for an act to amend sections 196 and 207 of an act entitled an act concerning proceedings in criminal cases, approved April 19, 1881, and being sections 1771 and 1782 of the Revised Statutes of 1881, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Crumpacker (by request) introduced Senate Bill No. 197, entitled :

A bill for an act to establish a department of public parks in cities having more than one hundred thousand population according to the last preceding United States census, and creating a Board of Park Commissioners, defining the powers and duties of such Board and matters connected therewith, and declaring an emergency.

Read the first time and referred to the Committee on the Affairs of the City of Indianapolis.

Senator Crumpacker introduced Senate Bill No. 198, entitled :

An act to provide for the removal of obstructions, straightening and otherwise improving the Kankakee River, and draining the lands bordering upon and adjacent thereto; to create a Kankakee River Commission, and providing for the appointment and fixing the duties and compensation of members thereof, and fixing the duties and compensation of certain other officers; providing for the assessment of benefits to lands, and for the sale of certain swamp lands, for the issue and sale of drainage bonds, and appropriating certain funds in the State Treasury, and declaring an emergency.

Read the first time and referred to the Committee on Swamp Lands and Drains.

By request, Senator Kern introduced Senate Bill No. 199, entitled :

An act entitled an act to amend section 1 of an act entitled an act to amend section 2 of an act approved March 4, 1853, to amend the 18th, 24th, 25th and 26th sections of an act entitled "An act regulating descents and the apportionment of estates," approved May 14, 1852, and adding a supplemental section to said act, the same being section 2487 of the Revised Statutes of 1881, of the State of Indiana, and an act to render valid conveyances by children or their guardians, of deceased husbands, who have left second or subsequent childless wives surviving them, and, also, children by former wives surviving them, of real estate that descended to such second or subsequent childless wives from such husbands under the provision contained in section 2487 of the Revised Statutes of 1881, that became a law by lapse of time without the Governor's approval March 11, 1889, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

By request, Senator Kern, of Marion, introduced Senate Bill No. 200, entitled :

An act to amend section four (4) of an act entitled "An act to repeal an act to amend the first and thirteenth sections of an act to establish superior courts, defining their jurisdiction and providing for the election and compensation of the judges thereof, approved February 15, 1871, and supplemental thereto, approved March 5, 1877, and reviving said amended sections," and being section 1342 of the Revised Statutes of 1881. Also adding additional sections providing for the filling of vacancies in the office of judge of superior courts in certain cases, abolishing appeals from special to general term, and declaring an emergency.

Read the first time and referred to the Committee on the Affairs of the City of Indianapolis.

Senator LaFollette introduced Senate Bill No. 201, entitled :

A bill for an act providing for burial permits in all cases of death, making death reports, providing penalties, and declaring an emergency.

Read the first time and referred to the Committee on Public Health.

Senator McLean introduced Senate Bill No. 202, entitled :

A bill to provide for the establishment of an Industrial Home for the Blind, providing for appointment of commissioners to locate the same and the government of the same, and all matters properly connected therewith, and declaring an emergency.

Read the first time and referred to the Committee on Benevolent Institutions.

Senator Mull introduced Senate Bill No. 203, entitled :

A bill for an act concerning licenses, fixing fees therefor, providing for the collection and application thereof, prescribing penalties for the failure to pay the same, and repealing all laws in conflict therewith.

Read the first time and referred to the Committee on Agriculture.

Senator Self introduced Senate Bill No. 204, entitled :

A bill for an act to legalize the incorporation of the town of Alton, Crawford County, Indiana, the election and qualification of its Board of Trustees and other officers, and all acts, orders, ordinances, resolutions, by-laws, minutes and proceedings of the Board of Trustees of said town, assessment and collection of taxes and other matters connected therewith, and declaring an emergency.

Senator Self moved that the constitutional rule requiring bills to be read on three several days be suspended, the bill be read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being on the suspension of the rule.

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bird, Boord, Boyd, Bozeman, Collett, Crumpacker, Duncan, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 44.

None voting in the negative.

So the constitutional rule was suspended, the bill read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bird, Boyd, Bozeman, Collett, Crumpacker, Duncan, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 43.

None voting in the negative.

So the bill passed.

The title of the bill was adopted as the title to the act.

Senator Seller introduced Senate Bill No. 205, entitled:

A bill for an act to amend sections 1, 2, 5, 6, 7, 8 and 10 of an act entitled "An act concerning the construction of free gravel, stone or other macadamized roads, providing for their location, the manner of their construction and providing for the payment of the same and for their maintenance, and declaring an emergency, approved on March 3, 1893," and declaring an emergency.

*Be it enacted by the General Assembly of the State of Indiana,* That section one of the above entitled act be amended to read as follows:

Read the first time and referred to the Committee on Roads.

Senator Seller introduced Senate Bill No. 206, entitled :

A bill for an act defining certain misdemeanors and fixing punishments for the violations thereof.

Read the first time and referred to the Committee on Judiciary.

Senator Shiveley introduced Senate Bill No. 207, entitled :

A bill for an act concerning libel in civil and criminal cases.

Read the first time and referred to the Committee on Judiciary.

Senator Shiveley introduced Senate Bill No. 208, entitled :

A bill for an act to amend section 1 of an act fixing the salaries of Township Assessors and Trustees, and declaring an emergency, approved March 7, 1891, and being section 8084 of Burns' Revised Statutes of 1894.

Read the first time and referred to the Committee on Cities and Towns.

Senator White introduced Senate Bill No. 209, entitled :

An act to legalize the incorporation of the town of Grandview in the county of Spencer and State of Indiana, the election and qualification of the Boards of Trustees and other officers thereof, and all acts, ordinances, orders, by-laws, resolutions, contracts, minutes, and proceedings of the Board of Trustees of said town, and declaring an emergency.

Senator White moved that the constitutional rule be suspended, the bill be read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being on the suspension of the constitutional rule.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden,

McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 46.

None voting in the negative.

So the constitutional rule was suspended, the bill read a second time by title, considered engrossed, read a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bird, Boyd, Bozeman, Collett, Cranor, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCutchan, McDonald, McHugh, McKelvey, McManus, Mull, Newby, O'Brien, Parker, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 41.

None voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Humphreys introduced Senate Bill No. 210, entitled:

A bill for an act relative to the duties of County Coroners.

Be it enacted by the General Assembly of the State of Indiana.

Read the first time and referred to the Committee on County and Township Business.

Senator Vail introduced Senate Bill No. 211, entitled:

A bill for an act to amend sections one and two of an act entitled "An act to abolish the office of Board of Trustees of water works in cities and incorporated towns having a population of less than five thousand," approved March 8, 1891, making the provision thereof extend to all incorporated towns and cities of less than twenty thousand, prescribing the duties

of certain officers, repealing all laws and parts of laws in conflict therewith, and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

Senator Duncan moved that the Committee on Education be excused from attending next Friday, January 25.

The motion prevailed.

Senator Shiveley, Chairman of the Committee on Organization of Courts, made the following report :

MR. PRESIDENT :

Your Committee on Organization of Courts, to which was referred Senate Bill No. 58, introduced by Senator Baker, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

CHAS. E. SHIVELEY,  
Chairman.

Which report was concurred in.

Senator Leyden moved that when the Senate adjourn on Thursday it adjourn until Monday, Jan. 28.

Senator Shiveley moved to amend that when the Senate adjourns on Friday morning it adjourn until 3 o'clock p. m., Monday, Jan. 28, 1895.

Which amendment prevailed.

Senator Kerns, Chairman of the Committee on Roads, submitted the following report :

MR. PRESIDENT :

Your Committee, to which was referred Senate Bill No. 84, has had the same under consideration, and recommends that the bill do pass.

W. F. KERNS,  
Chairman.

Which report was concurred in.

Senator McCutchan, Chairman of the Committee on Military Affairs, submitted the following report :

MR. PRESIDENT :

We, your Committee on Military Affairs, to whom Senate Bill No. 102, presented by Senator Kern, in regard to indigent soldiers, was referred, would recommend that the same be printed.

A. J. McCUTCHAN,  
Chairman.

Which report was concurred in.

Senator O'Brien, Chairman of the Committee on Cities and Towns made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 148, introduced by Senator Vail, begs leave to report the same back to the Senate, with the recommendation that it do pass.

JAMES O'BRIEN,  
Chairman.

Which report was concurred in.

Senator O'Brien, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 128, introduced by Senator Haggard, begs leave to report the same back to the Senate, with the recommendation that it do pass.

JAMES O'BRIEN,  
Chairman.

The report was concurred in.

Senator O'Brien, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 91, introduced by Senator Wishard, begs leave



to report the same back to the Senate, with the recommendation that the same be printed.

JAMES O'BRIEN,  
Chairman.

Which report was concurred in.

Senate Bill No. 11, together with the report of the committee thereon, was read a second time.

Senator Baker moved that the report of the committee be concurred in and the bill be ordered engrossed.

The motion prevailed.

Senate Bill No. 66, together with the report of the committee thereon, was read a second time.

On motion of Senator Kern the bill was referred to the Committee on Judiciary.

The President of the Senate announced that he has signed Enrolled House Bill No. 25.

Senate Bill No. 32, together with the report of the committee thereon, was read a second time.

On motion of Senator Seller, the report of the committee was concurred in and the bill ordered engrossed.

Senate Bill No. 38, together with the report of the committee thereon, was read a second time.

Senator Seller moved that the report of the committee be concurred in and the bill ordered engrossed.

The motion prevailed.

Senate Bill No. 1 was read a second time.

Senator Wray offered amendment No. 1, as follows:

MR. PRESIDENT:

I move to amend section 16 of Senate Bill No. 1, by striking out of lines 5 and 6 of said section the words "one hundred thousand dollars," and the figures (" \$100,000,") and inserting in lieu thereof the words and figures "seventy-five thousand dollars (\$75,000)."

A. F. WRAY.

Senator Boyd moved to reject the amendment.

The question being upon the rejection of the amendment.

The roll being called, resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Houghton, Kern of Marion, Kerns of Vermillion, Leyden, McCord, McCutchan, McDonald, McHugh, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Schneck, Self, Seller, Stuart, Vail, Watson, White, Wishard. Total, 35.

Those voting in the negative were:

Senators Barnes, Beck, Bird, Ellison, Gifford, Humphreys, Johnston, LaFollette, McKelvey, Shiveley, Sweeney, Wray. Total, 12.

So the amendment was rejected.

Senator Duncan moved to amend said bill as follows:

Amendment No. 2:

MR. PRESIDENT:

In section 1, line 9, after the words "warranty deed," insert the following: "So as to invest an absolute title in fee simple, free from all leins and incumbrances in the State of Indiana, said title to be to the approval of the Attorney-General.

The amendment was adopted.

Senator Newby offered Amendment No. 3, as follows:

MR. PRESIDENT:

I move to amend section one (1) of Senate Bill No. 1, by striking out lines 10, 11 and 12 of said section.

L. P. NEWBY.

The amendment was adopted.

Senator Cranor offered Amendment No. 4, as follows:

MR. PRESIDENT:

I move to amend section 10 of Senate Bill No. 1, by adding thereto the following: "*And, provided, further, That residence in any National Soldiers' Home within this State for any period*

shall not be considered a residence within this State, for the purposes of this act.

O. N. CRANOR.

The amendment was adopted.

On motion of Senator Leyden, Senator Kinear was excused from further attendance until next Monday.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 259, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

House Bill No. 259, entitled :

A bill for an act concerning and providing for the employment of employes for the House, defining their duties, providing for their compensation, repealing all laws in conflict herewith, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 16, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

House Bill No. 16, entitled :

An act to legalize the incorporation of the town of Albany in the county of Delaware, State of Indiana, the election of its various Boards of Trustees and other officers, and all acts, ordinances, orders, resolutions, by-laws, minutes and proceedings of the Board of Trustees of said town, and other matters connected therewith, and declaring an emergency.

Read the first time and referred to the Committee on Fees and Salaries.

On motion of Senator Boyd the Senate adjourned.

MORTIMER NYE,  
President of Senate.

WILLIAM S. ENNES,  
Assistant Secretary of Senate.

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THURSDAY MORNING.

JANUARY 24, 1895.

The Senate met at 10 o'clock, with the Lieutenant-Governor in the Chair.

Prayer was offered by Rev. J. W. Miland, of the Madison Avenue Methodist Episcopal Church.

After a portion of the Journal had been read, on motion of Senator Cranor, the further reading of the same was dispensed with.

Senator McLean, by unanimous consent, presented the claim for \$1,034.68, of B. F. Havens, for services rendered and cash paid out for the State while Executive Commissioner of the Board of World's Fair Managers of Indiana.

Referred to the Committee on Claims.

The consideration of Senate Bill No. 1 was again taken up.

Senator Duncan offered amendment No. 5, as follows:

MR. PRESIDENT:

I move to amend the bill by adding to section 4 the following:

*Provided*, That no officer or employe shall be permitted to contribute any part of the support or maintenance of any member of his family, or any other person, from the funds or supplies of said home.

DUNCAN.

On motion of Senator Collett the further consideration of this bill was postponed until Wednesday, 10:30 A. M., it being made a special order for that time.

Senator Seller introduced Senate Bill No. 212, entitled :.

A bill for an act authorizing Prosecuting Attorneys to administer oaths in certain cases.

Read the first time and referred to the Committee on Judiciary.

Senator McCutchan introduced Senate Bill No. 213, entitled :

An act to amend sections fourteen (14), seventeen (17), eighteen (18), twenty-three (23), twenty-six (26), thirty-one (31), thirty-eight (38), forty-seven (47), fifty-one (51), fifty-two (52), fifty-four (54), fifty-five (55), fifty-nine (59), sixty (60), sixty-one (61), sixty-three (63), sixty-four (64), seventy-three (73), seventy-four (74), seventy-seven (77), eighty-one (81), eighty-five (85), eighty-six (86), eighty-seven (87), eighty-eight (88), eighty-nine (89), ninety (90), ninety-one (91), ninety-three (93), ninety-four (94), one hundred and nine (109), one hundred and fifteen (115), one hundred and sixteen (116), one hundred and twenty-two (122), one hundred and thirty-one (131), and one hundred and forty-eight (148), of an act of the General Assembly of the State of Indiana, entitled : "An act concerning the incorporation and government of cities having more than fifty thousand and less than one hundred thousand population, according to the last preceding United States census, and matters connected therewith, and declaring an emergency," approved March 3, 1893, and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

Senator Wishard introduced Senate Bill No. 214, entitled :

A bill for an act to amend sections 4, 50 and 53 of an act entitled "An act concerning taxation, repealing all laws in conflict therewith and declaring an emergency," approved March 6, 1891.

Read the first time and referred to the Committee on Finance.

Senator Wishard introduced Senate Bill No. 215, entitled :

A bill for an act appropriating money for the claim of Timothy T. Sheehan, account paving with brick the north sidewalk of Washington Street, from State Street to Rural Street, and the construction of a main sewer to Mississippi Street, from Pogue's Run to Georgia Street, in the City of Indianapolis, and declaring an emergency.

Read the first time and referred to the Committee on Claims.

Senator Wishard introduced Senate Bill No. 216, entitled :

A bill for an act to license, regulate and prohibit the keeping or harboring of dogs, and giving incorporated towns the same rights that cities now have in issuing checks, and to destroy the dogs whose owners do not pay the license fee, and declaring an emergency.

Read the first time and referred to the Committee on County and Township Business.

Senator Wishard introduced Senate Bill No. 217, entitled.

A bill for an act regulating and prescribing the manner and procedure of County Commissioners, Township Trustees, Township or County Superintendents and all other township officials having in charge the construction or repair of bridges, the cost thereof being paid from the proceeds of taxation, and declaring an emergency.

Read the first time and referred to the Committee on County and Township Business.

Senator Wishard introduced Senate Bill No. 218, entitled :

A bill for an act for the protection of fish.

Read the first time and referred to the Committee on Agriculture.

Senator McCutchan introduced, by request, Senate Bill No. 219, entitled :

An act concerning pensions for disabled or retired firemen and dependents of deceased firemen, providing for pensioning the widows and orphans of deceased firemen ; providing for

the pensioning the dependent wives and children of retired or disabled firemen ; providing for pensioning dependent fathers and mothers and dependent brothers and sisters of disabled or retired firemen ; providing for a fund out of which such pensions shall be paid ; providing for a Board of Trustees for the management and distribution of such fund ; providing and prescribing regulations relative to the mode of obtaining, preserving, using and disbursing such fund ; declaring to what cities and fire departments this act shall apply ; repealing former acts and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

By request Senator McCutchan introduced Senate Bill No. 220, entitled :

A bill for an act requiring instruction and practice in the common schools of cities and certain educational institutions of physical cultur .

Read the first time and referred to the Committee on Education.

Senator McCord introduced Senate Bill No. 221, entitled :

A bill for an act to amend section eleven (11) of an act entitled, "An act providing for the settlement and distribution of decedents' estates," approved April 14, 1881, and known as section 2227, Revised Statutes of 1881.

Read the first time and referred to the Committee on Judiciary.

Senator Kern asked that Senator Ellison be granted leave of absence till next Tuesday morning.

The request was granted.

Senate Bill No. 120 was called up and read a second time and ordered engrossed.

Senate Bill No. 88 was called up, read a second time and ordered engrossed.

Senate Bill No. 4 was called up, read a second time and ordered engrossed.

Senator Stuart moved that the constitutional rule requiring bills to be read on three several days be suspended, that the bill be considered engrossed, read a third time by sections and put upon its passage.

The question being on the suspension of the constitutional rule.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Beck, Bird, Boyd, Bozeman, Collett, Cranor, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, O'Brien, Parker, Phares, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard, Wray. Total, 42.

None voting in the negative.

So the constitutional rule was suspended, the bill considered engrossed, read a third time by sections and placed upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boyd, Bozeman, Collett, Cranor, Duncan, Ellison, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, O'Brien, Parker, Phares, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard, Wray. Total, 44.

None voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.



Senate Bill No. 114 was read a second time.

Senator Parker offered the following amendment :

MR. PRESIDENT :

I move to amend Senate Bill No. 114 (Shiveley) by inserting after the word "plaintiff" in line 12, or at the end of section 1, the following words, to wit :

*"And, provided further, That in lieu of such undertaking such non-resident plaintiff may deposit current money with the Clerk in a sum sufficient, at all times, to fully cover all costs."*

PARKER.

The amendment was adopted.

The bill was ordered engrossed.

Senator McLean presented two memorials from the Central Labor Union of Terre Haute asking for legislation on the following subjects: Convict labor, a system of apprenticeship, child labor and compulsory education.

Read and referred to the Committee on Rights and Privileges.

Senator Alexander introduced Senate Bill No. 222, entitled :

A bill for an act to provide for the distribution of money paid into court by an executor or administrator upon final settlement of his trust, when the residence of an heir or heirs is unknown, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Gifford introduced Senate Bill No. 223, entitled :

A bill for an act providing for the creation of the office of State Bacteriologist and specifying his duties, fixing his salary and providing for the payment of the expenses of such office.

Read the first time and referred to the Committee on Public Health.

By request Senator Kern introduced Senate Bill No. 224, entitled :

A bill for an act to amend section 6 of an act entitled "An act defining who are persons of unsound mind, and authorizing the appointment of guardians for such persons; defining the powers and duties of such guardians; declaring void the contracts of persons of unsound mind, and providing for their restraint when necessary," approved May 29, 1852, the same being section 2549 of the Revised Statutes of 1881.

Read the first time and referred to the Committee on Judiciary.

Senator McCutchan asked permission to withdraw Senate Bill No. 105 for the purpose of amending it.

The request was granted.

Senator McDonald introduced Senate Bill No. 225, entitled :

A bill for an act entitled "An act to define the qualifications of County School Superintendents."

Read the first time and referred to the Committee on Education.

Senator Newby introduced Senate Bill No. 226, entitled :

A bill for an act to provide for a record of persons receiving aid from public funds, regulating expenditures for such aid, and repealing conflicting laws.

Read the first time and referred to the Committee on Judiciary.

Senator Phares introduced Senate Bill No. 227, entitled :

A bill for an act defining the duties of Notaries Public.

Read the first time and referred to the Committee on Judiciary.

Senator Self introduced Senate Bill No. 228, entitled :

A bill for an act to amend section thirty-nine (39) of an act entitled "An act to amend an act entitled an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties and matters properly

connected therewith, and prescribing the fees for certain officers therein named, and for the establishment of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865, and adding supplemental sections thereto, approved March 8, 1878," the same being section 4429 of the Revised Statutes of Indiana, and 5905 of Burns' Statutes.

Read the first time and referred to the Committee on Education.

Senator Stuart introduced Senate Bill No. 229, entitled :

A bill for an act to enable attorneys at law to secure and collect fees in certain cases, to repeal all laws in conflict therewith, and declaring an emergency.

Read the first time and referred to the Committee on Organization of Courts.

Senator Watson presented a memorial from Samuel Simonson Post, No. 226, G. A. R., of Charlestown, Ind., asking for the establishment of a State Soldiers' Home.

Read and referred to the Committee on Military Affairs.

Senator Crumpacker introduced Senate Bill No. 230, entitled :

A bill for an act to amend section 529 of an act entitled "An act concerning proceedings in civil cases," approved April 7, 1881, the same being section 742 of the Revised Statutes of 1881, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Crumpacker introduced Senate Bill No. 231, entitled :

A bill for an act to amend section 1 of an act entitled "An act concerning the purchase of toll roads, and providing for the maintenance of the same, as free gravel roads, and declaring an emergency," approved March 8, 1889.

Read the first time and referred to the Committee on Roads.

Senator Shiveley presented a petition from the Indiana Department of the National Game, Bird and Fish Protective Association, asking for a law to prevent the pollution of the streams of the State.

Read and referred to the Committee on Judiciary.

Senator Haggard, Chairman of the Committee on Finance, made the following report on Senate Bill No. 125:

MR. PRESIDENT:

Your Committee on Finance, to which was referred Senate Bill No. 125, introduced by Senator Wishard, begs leave to report the same back to the Senate with the recommendation that the bill do pass.

HAGGARD,  
Chairman.

Which report was concurred in.

The Committee on Judiciary made the following reports:

MR. PRESIDENT:

A majority of your Committee on Judiciary, to which was referred Senate Bill No. 13, introduced by Senator Bird, begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
L. W. VAIL,  
O. N. CRANOR,  
CHAS. E. SHIVELEY.

MR. PRESIDENT:

A minority of your Committee on Judiciary, to which was referred Senate Bill No. 13, introduced by Senator Bird, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

J. J. M. LAFOLLETTE,  
JOHN W. KERN,  
SAMUEL PARKER.

On motion of Senator Ellison the minority report was concurred in.

Senator Phares, Chairman of the Committee on Swamp Lands and Drains, made the following report:

MR. PRESIDENT:

Your Committee on Swamp Lands and Drains, to which was referred Senate Bill No. 101, introduced by Senator Ellison, begs leave to report the same back to the Senate, with the recommendation that two hundred copies of said bill be printed.

ISAAC H. PHARES,  
Chairman.

The report was concurred in.

Senator Baker, Chairman of the Committee on Insurance, made the following report:

MR. PRESIDENT:

Your Committee on Insurance, to which was referred Senate Bill No. 124, introduced by Senator Wishard, begs leave to report the same back to the Senate, with the recommendation that the said bill do pass.

O. A. BAKER,  
Chairman.

Which report was concurred in.

Senator Baker, Chairman of the Committee on Insurance, made the following report:

MR. PRESIDENT:

Your Committee on Insurance, to which was referred Senate Bill No. 63, introduced by Senator Vail, begs leave to report the same back to the Senate, with the recommendation that the said bill do pass.

O. A. BAKER,  
Chairman.

Which report was concurred in.

Senator Wishard, Chairman of the Committee on the Affairs of the City of Indianapolis, submitted the following report:

MR. PRESIDENT:

Your Committee on the Affairs of the City of Indianapolis, to which was referred Senate Bill No. 144, introduced by

Senator Kern, begs leave to report the same back to the Senate with the recommendation that the bill do pass.

A. W. WISHARD,  
Chairman.

The report of the committee was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 74, introduced by Senator Alexander, begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 37, introduced by Senator Wishard, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 103, introduced by Senator LaFollette, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 42, introduced by Senator Baker, begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, submitted the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 59, introduced by Senator Bozeman, begs leave to report the same back to the Senate, with the recommendation that said bill be amended as follows, to wit: That the word "public" be inserted immediately after the word "benevolent" in line 3, and by striking out the words "the Judge of," in line 5, of section one (1) of said bill, and that said bill when so amended, do pass.

L. P. NEWBY,  
Chairman.

The report of the committee was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 90, introduced by Senator Watson, begs leave to report the same back to the Senate, with the recommendation that the said bill do pass.

• L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Holler, Chairman of the Committee on Agriculture, made the following report:

MR. PRESIDENT:

Your Committee on Agriculture, to which was referred Senate Bill No. 168, introduced by Senator Bird, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

C. HOLLER,  
Chairman.

Which report was concurred in.

Senator Wray introduced Senate Bill No. 232, entitled:

A bill for an act to amend section one (1) of an act entitled "An act entitled an act to amend section number one (1) of an act entitled an act to amend section number one (1) of an act entitled an act to amend section number one (1) of an act entitled an act concerning the organization and perpetuity of voluntary associations, and adding supplemental sections, and declaring an emergency, approved March 6, 1882, and declaring an emergency, approved March 9, 1891, and declaring an emergency, and repealing all laws and parts of laws in conflict therewith," approved March 3, 1893, and declaring an emergency, and repealing all laws and parts of laws in conflict therewith.

Read the first time and referred to the Committee on Judiciary.

Senator Wray introduced Senate Bill No. 233, entitled:

A bill for an act to encourage agriculture and horticulture and agricultural and horticultural fairs, by the purchase of real estate for such purposes.

Read the first time and referred to the Committee on Agriculture.

Senator Holler introduced Senate Bill No. 234, entitled:

A bill for an act to amend "An act to amend section 1 of an act to amend section 8 of an act entitled an act to repeal all general laws now in force for the incorporation of



cities, and to provide for the incorporation of cities and prescribing their powers and rights and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto, approved March 14, 1867, approved March 6, 1877, the same being section 3043 of the Revised Statutes of 1881, repealing all laws in conflict herewith and declaring an emergency. Became a law by lapse of time, without the Governor's signature, February 21, 1893, repealing all laws in conflict therewith and declaring an emergency."

Read the first time and referred to the Committee on Cities and Towns.

Engrossed Senate Bill No. 120 was read the third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boyd, Bozeman, Cranor, Crumpacker, Duncan, Gifford, Haggard, Holler Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McHugh, McKelvey, McLean, Mull, O'Brien, Phares, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard. Total, 28.

Those voting in the negative were:

Senator McDonald. Total, 1.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 11 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bird, Boyd, Bozeman, Collett, Cranor, Duncan, Gifford, Gostlin, Haggard, Holler, Humphreys, Johnston, Kerns of Vermillion, LaFollette, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Phares, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard, Wray. Total, 40.

None voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 132 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Bird, Bozeman, Crumpacker, Duncan, Gostlin, Haggard, Houghton, Humphreys, Kerns of Vermillion, LaFollette, McDonald, McManus, Mull, Newby, O'Brien, Phares, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, Wishard. Total, 26.

Those voting in the negative were :

Senators Baker, Barnes, Beck, Boyd, Cranor, Gifford, Holler, McCutchan, McHugh, McKelvey, Wray. Total, 11.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 38 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bird, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, LaFollette, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Newby, O'Brien, Phares, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, White, Wishard, Wray. Total, 37.

None voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Upon request Senator McCord was excused from attendance until next Tuesday.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 21, legalizing incorporation of the town of Crandall, Harrison County, Indiana, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 21, entitled :

A bill for an act to legalize the incorporation of the town of Crandall, Harrison County, Indiana, and to legalize the election and official acts of the Board of Trustees and other officers of said town, and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 259, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 259, entitled :

A bill for an act concerning and providing for the employment of employes for the House, defining their duties, providing for their compensation, repealing all laws in conflict herewith, and declaring an emergency.

Read the first time.

Senator Newby moved that the constitutional rule requiring bills to be read on three several days be suspended, and that the bill be read a second time by title, and a third time by sections now, and placed upon its passage.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bird, Boyd, Boze-  
man, Collett, Cranor, Crumpacker, Duncan, Gifford, Gostlin,  
Haggard; Holler, Houghton, Kerns of Vermillion, LaFollette,  
McCutchan, McDonald, McHugh, McKelvey, McLean, Mc-  
Manus, Mull, Newby, O'Brien, Phares, Schneck, Seller, Shive-  
ley, Stuart, Sweeney, Watson, White. Total, 35.

Those voting in the negative were :

Senator Humphreys. Total, 1.

So the constitutional rule was suspended, the bill read a second time by title and a third time by sections and placed upon its passage.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bird, Boyd, Boze-  
man, Collett, Cranor, Crumpacker, Duncan, Gifford, Gostlin,  
Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette,  
McCutchan, McDonald, McHugh, McKelvey, McManus, Mull,  
Newby, O'Brien, Phares, Schneck, Self, Seller, Shiveley, Stuart,  
Sweeney, Watson, White, Wishard, Wray. Total, 37.

Those voting in the negative were :

Senators Humphreys, Johnston. Total, 2.

So the bill passed, and the title of the bill was ordered to stand as the title of the act.

On motion of Senator McLean, the Senate adjourned.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNIS,  
Assistant Secretary of the Senate.

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FRIDAY MORNING.

JANUARY 25, 1895.

The Senate met at 10 o'clock A. M., Lieutenant-Governor Nye in the chair.

After the reading of a portion of the Journal the further reading was dispensed with on motion of Senator McManus.

By request of Senator Wishard Senator Parker was excused until Tuesday, and Senator Bird until Monday.

By request of Senator Boyd Senator McCutchan was excused until 3 P. M. Monday.

By request of Senator Seller Senator Sweeney was excused until Tuesday.

Senator LaFollette introduced Senate Bill No. 235, entitled :

A bill for an act to divide the State of Indiana into Congressional districts.

Read the first time and referred to the Committee on Congressional Apportionment.

Senator Wishard moved that when the Senate adjourn that it adjourn to meet Monday, Jan. 28, at 3 P. M.

Senator Boyd introduced Senate Bill No. 236, entitled :

A bill for an act to amend sections 173 and 175 of an act concerning crimes against public policy, in force since September 19, 1881, being sections 2079 and 2081 of the Revised Statutes of 1881, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Vail introduced Senate Bill No. 237, entitled :

A bill for an act creating and defining the 33d, 34th and 54th Judicial Circuits of the State of Indiana, and fixing the length of terms and times of holding the terms of court in said circuits, and providing for the election of a Judge and Prosecuting Attorney in each of said 33d, 34th and 54th Judicial Circuits, and other matters connected therewith and repealing all laws in conflict therewith.

Read the first time and referred to the Committee on Organizations of Courts.

Senator Newby introduced Senate Bill No. 238, entitled :

A bill for an act providing for changes of venue from Justices of the Peace in certain cases.

Read the first time and referred to the Committee on Judiciary.

Senator Kerna, by request, offered Joint Resolution No 4:

A joint resolution proposing an amendment to section 1 of Article XVI of the Constitution of the State of Indiana.

*Be it resolved by the General Assembly of the State of Indiana,* That the following amendment to the Constitution of the State of Indiana be and the same is hereby proposed and agreed to, to wit:

*Article Sixteenth.*

SECTION 1. Any amendment or amendments to this Constitution may be proposed in either branch of the General Assembly, and if the same shall be agreed to by a majority of the members elected to each of the two houses, such proposed amendment or amendments shall, with the ayes and noes thereon, be entered on their journals, and thereupon such General Assembly shall provide for the submission of such amendment or amendments to the electors of the State at a special, or the next succeeding general election, and if a majority of said electors shall ratify the same such amendment or amendments shall become a part of this Constitution.

*Resolved further,* That in voting on this amendment it shall be designated and known as amendment No. —.

Referred to Committee on Revision of the Constitution.

Senator Newby, Chairman of the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 110, introduced by Senator Newby, begs leave to report the same back to the Senate, with the recommendation that said bill be amended as follows: to amend section one (1) by inserting immediately after the words "disposed of" in line 4, the words "then and there to deceive or defraud any person or persons" and by striking out the word "fifty" in line 13 of said section and inserting the word "five" in lieu thereof.

And by inserting the words "then and there to deceive or defraud any person or persons" immediately after the words "dispose of" in line 17 of section 2, and to strike out the word "fifty" in line 27 of said section and insert the word "five" in lieu thereof. And to insert the words "then and there with the intent to deceive or defraud any person or persons immediately after the words "disposal of" in line 31 in section 3. And to strike out the word "fifty" in line 40 of section three and insert the word "five" in lieu thereof and when so amended that the bill do pass.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 206, introduced by Senator Seller, begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

The Judiciary Committee, to which was referred Senate Bill No. 12, introduced by Senator Baker, begs leave to report the same back to the Senate with the following amendments thereto, to wit, by amending section one (1) by inserting the words "Board of Commissioners" in lieu of the word "Treasurer" where the same appears, and adding to said section one (1) the following: "And such Board of Commissioners shall grant such license to inhabitants of the State of Indiana over the age of twenty-one years, of good moral character, who make applications therefor in writing, and who present the receipt of the County Treasurer for the license fee hereinafter provided.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 66, introduced by Senator Holler, begs leave to report the same back to the Senate with the following recommendation, to wit: That the words and figures "the one-tenth (1-10) of all fines collected by prosecutions under this act" be stricken out of lines 10 and 11 of section one (1).

That sections 5 and 6 be stricken out, for the reason that said sections and parts of sections would if enacted be unconstitutional and void.

And that after said bill is so amended that the same be referred back to the Committee on Agriculture for further action.

L. P. NEWBY,  
Chairman.

Which report was concurred in.



Senator Newby introduced Senate Bill No. 259, by request, entitled :

A bill for an act to amend section 56 of an act concerning procedure in criminal cases, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator O'Brien, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 26, introduced by Senator Shiveley, begs leave to report the same back to the Senate, with the recommendation that the same be printed.

JAMES O'BRIEN,  
Chairman.

Which report was concurred in.

On motion of Senator McDonald, the Senate adjourned.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.

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## MONDAY AFTERNOON.

JANUARY 28, 1895.

The Senate convened at 3 o'clock P. M., with President *pro tem.* Newby in the Chair.

Prayer was offered by the Rev. R. Roberts, of Fletcher Place Church.

On motion of Senator Boyd, the reading of the Journal was dispensed with.

Lieutenant-Governor Nye submitted the following telegrams relative to the death of Senator Thayer :

WARSAW, IND., Jan. 28, 1895.

LIEUT.-GOV. M. NYE, *President of the Senate, Indianapolis, Ind.:*

Senator J. D. Thayer died this morning.

HIRAM S. BRIGGS.

WARSAW, IND., Jan. 28, 1895.

R. B. OGLESBEE, *Secretary State Senate :*

Senator Thayer died at six o'clock this morning.

DR. C. W. BURKIT.

Secretary McManus offered the following resolution :

WHEREAS, The members of this Senate have learned, with great sorrow, of the death of our co-laborer, Senator John D. Thayer, therefore be it

*Resolved*, That the Chair appoint a committee of four to attend his funeral and to prepare suitable resolutions concerning the demise of our beloved fellow Senator, and that this Senate do now adjourn.

Thereupon the President *pro tem.* appointed as such committee the following :

Senators McManus, McHugh, Boord and McDonald.

And on motion of Senator Watson, Rollo Smith and Theo. Frazier, pages, were added to said committee.

Which resolution was adopted.

Thereupon the Senate adjourned until to-morrow morning at 10 o'clock.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.

## TUESDAY MORNING.

JANUARY 29, 1895.

The Senate convened at 10 o'clock A. M., with Lieutenant-Governor Nye in the chair.

Prayer was offered by the Rev. H. J. Black, of Grace M. E. Church.

After the reading of a portion of the Journal, on motion of Senator Watson the further reading of the Journal was dispensed with.

Senator Shiveley offered the following:

MR. PRESIDENT:

I move the adoption of the following resolution:

*Resolved*, That the Secretary of the Senate be instructed to have printed three hundred (300) copies of the Senate Calendar.

SHIVELEY.

Which resolution was adopted.

Senator McLean presented a petition from Wm. A. Brunker, stating that he has been deprived of his constitutional rights as a citizen of the State of Indiana, and asking that he may be summoned to appear before an impartial committee to testify in this matter.

Read and referred to the Committee on Federal Relations.

Senator Boord introduced Senate Bill No. 240, entitled:

A bill for an act to appropriate money for the payment of the claim of Mrs. Sarah May, against the State of Indiana.

Read the first time and referred to the Committee on Judiciary.

Senator McLean introduced Senate Bill No. 241, entitled:

A bill for an act to amend an act entitled, "An act for the protection of discharged employees, and to prevent blacklisting," approved March 9, 1889.

Read the first time and referred to the Committee on Rights and Privileges.

Senator Beck introduced Senate Bill No. 242, entitled :

A bill for an act amending section one (1) of an act concerning the liens of mechanics, laborers, and material men, amending sections one, two, three and six of an act entitled an act concerning liens of mechanics, laborers and material men, approved March 6, 1883.

Repealing section five of said act, amending section one of an act entitled an act concerning liens of mechanics, laborers, and material men, approved April 12, 1885. Repealing all laws and parts of laws in conflict therewith and declaring an emergency, approved March 9, 1889.

Said section one hereby amended being section 7255 of the Revised Statutes of 1894.

Read the first time and referred to the Committee on Agriculture.

Senator Boyd introduced Senate Bill No. 243, entitled :

A bill for an act providing for a name for each of the insane asylums of the State, providing for the government of such institutions, directing the Governor to appoint Boards of Trustees, defining the powers and duties of such Boards of Trustees, providing for their salaries and expenses, defining the duties of the Superintendent of each of said institutions, directing how supplies shall be bought, providing certain acts are misdemeanors, and fixing penalties, further providing that Boards may make contracts with certain railroads where they desire to cross asylum grounds, providing for the organization of such Boards, directing how such institutions' books shall be kept, providing for the free and unrestrained visits of the State Board of Charities, for discharge and furlough of patients, repealing all laws and parts of laws in conflict herewith, and declaring an emergency.

Read the first time and referred to the Committee on Benevolent Institutions.

Senator Baker introduced Senate Bill No. 244, entitled :

A bill for an act to prevent the pollution of lakes, ponds and streams of water in the State of Indiana, for the preservation of fish therein, prescribing penalties for the violation thereof, and declaring an emergency.

Read the first time and referred to the Committee on Public Health.

Senator McDonald introduced Senate Bill No. 245, entitled :

An act for the better securing of wages to workmen and laborers in the State of Indiana, and for the punishment of certain employers or officers of corporations within the State of Indiana, and declaring an emergency.

Read the first time and referred to the Committee on Corporations.

Senator Newby, by request, introduced Senate Bill No. 246, entitled :

A bill for an act to amend sections 3 and 12 of an act of the General Assembly of the State of Indiana, entitled an act for the incorporation of Building, Loan Fund and Savings Associations, which became a law by the lapse of time without the Governor's signature, March 11, 1885, enacting certain provisions supplemental thereto, repealing all laws in conflict therewith and prescribing penalties therefor.

Read the first time and referred to the Committee on Judiciary.

Senator Self introduced Senate Bill No. 247, entitled :

A bill for an act to amend section 1 (one) of an act entitled "An act providing notice of the pendency and hearing of petitions by executors and administrators for the sale of real estate for the payment of debts of decedents' estates and relating to notices issued and pending at the time of the taking effect of this act, and declaring an emergency."

Approved March 9, 1891.

Read the first time and referred to the Committee on Judiciary.

Senator Seller introduced Senate Bill No. 248, entitled :

A bill for an act to amend section one of an act entitled an act to regulate the sale of patent rights and to prevent frauds in connection therewith, in force without execution, approved April 23, 1869, and being section 6054, Revised Statutes, 1881, and section 8130, Revised Statutes, 1894.

*Be it enacted by the General Assembly of the State of Indiana, That section one of the above entitled act be amended to read as follows :*

Read the first time and referred to the Committee on Judiciary.

Senator Seller introduced Senate Bill No. 249, entitled :

A bill for an act to amend section 1 of an act entitled an act to amend section 97 of an act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865, and declaring an emergency," approved March 9, 1889, and declaring an emergency.

Read the first time and referred to the Committee on County and Township Business.

Senator Shiveley introduced Senate Bill No. 250, entitled :

A bill for an act authorizing Township Trustees to levy a tax for the increase and maintenance of libraries established by private donation and for the purchase and improvement of real property for such libraries.

Read the first time and referred to the Committee on Judiciary.

Senator Gifford introduced Senate Bill No. 251, entitled :

A bill for an act concerning the education of children ; fixing the time during which such children shall attend school, providing the means of furnishing indigent children with clothes and books during such compelled attendance, and for the support of parents dependent upon the labor of such child or children.

Read the first time and referred to the Committee on Education.

Senator Bozeman presented a petition from the citizens and ex soldiers of Posey County, Indiana, for the establishment of a State Soldiers' Home at Lincoln City, Spencer County, Indiana.

Read and referred to the Committee on Military Affairs.

Senator Boyd introduced Senate Bill No. 252, entitled :

An act to amend section four of an act entitled "An act to amend sections thirty-nine, forty-two, forty-four and fifty-four of an act entitled 'An act for the incorporation of insurance companies, defining their powers and prescribing their powers, approved June 17, 1852,'" approved December 20, 1865 (being section 3761 of the Revised Statutes of 1881), and declaring an emergency.

Read the first time and referred to the Committee on Insurance.

Senator Boyd introduced Senate Bill No. 253, entitled :

A bill for an act making appropriation for additional compensation to Joseph P. Pope for extra services as Quartermaster-General of the State of Indiana.

Read the first time and referred to the Committee on Claims.

A petition was also received relative to Senate Bill No. 253, asking for the appropriation of additional compensation to Joseph P. Pope for extra services as Quartermaster-General of the State of Indiana.

Referred to the Committee on Claims.

Senator Wishard introduced Senate Bill No. 254, entitled :

An act to legalize the records and actions of the Common Council of the city of Lebanon, Boone County, Indiana, in relation to the construction of the Second Ward sewer in said city ; to legalize the assessments made against certain real estate for the construction thereof and in payment therefor ; to legalize all acts of said Common Council in relation to said sewer, and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

Senator Wishard introduced Senate Bill No. 255, entitled :

A bill for an act to amend section two hundred and thirty-six (236) of an act entitled "An act concerning taxation, repealing all laws in conflict therewith, and declaring an emergency." Approved March 6, 1891, repealing all laws in conflict therewith and declaring an emergency.

Read the first time and referred to the Committee on County and Township Business.

Senator Newby, Chairman of the Committee on Judiciary, submitted the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 141, introduced by Senator Shiveley, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 172, introduced by Senator Duncan, begs leave to report the same back to the Senate, with the recommendation that said bill be amended by inserting in line 15 of section 1



of said bill, immediately after the word "otherwise," the following words: "That in case any defendant should be permitted to defend as a poor person, the court may appoint one attorney, and no more, who shall conduct said defense and shall be allowed such compensation as the court may determine, to be paid as other costs and expenses of such trial are paid." And when said bill is so amended, that the same do pass.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 147, introduced by Senator Shiveley, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, to which was referred House Bill No. 124, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred House Bill No. 124, introduced by Mr. Merritt, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 43, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Senator Newby, Chairman of the Committee on Judiciary, asked permission to reconsider the vote of the committee on Senate Bill No. 43.

The permission was granted, and the report of the committee was withdrawn.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 181, introduced by Senator Shiveley, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 238, introduced by Senator Newby, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, to which was referred Senate Bill No. 115, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 115, introduced by Senator Shiveley, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 161, introduced by Senator McManus, begs leave to report the same back to the Senate, with the recommendation that said bill be amended as follows:

By striking out the word "shall" in line 4 of section 1 and inserting the word "may" in lieu thereof; and by striking out the words, "be paid a salary equal to the salary of a regular patrolman," in lines 7 and 8 of section 3; and by striking out the following words, to wit, "salary or salaries as the appointing power may deem sufficient," in line 9 of said section, and inserting in lieu thereof the following words, "such compensation or salaries as may be determined by the Board of Police Commissioners or the Common Council of such city."

And when said bill is so amended that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Holler, Chairman of the Committee on Agriculture, made the following report:

MR. PRESIDENT:

Your Committee on Agriculture, to which was referred Senate Bill No. 83, introduced by Senator McCutchan, has had the same under consideration and recommend that the same be indefinitely postponed.

C. HOLLER,  
Chairman.

Which report was concurred in.

Senator Kerns, Chairman of the Committee on Roads, made the following report:

MR. PRESIDENT:

Your Committee on Roads, to which was referred Senate Bill No. 186, introduced by Senator Collett, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

W. F. KERNS,  
Chairman.

Which report was concurred in.

Senator Kerns, Chairman of the Committee on Roads made the following report:

MR. PRESIDENT:

Your Committee on Roads, to which was referred Senate Bill No. 53, introduced by Senator McKelvey, begs leave to report the same back, with the recommendation that the further consideration of said bill be indefinitely postponed.

W. F. KERNS,  
Chairman.

On motion of Senator McKelvey, the consideration of this report was postponed to give the minority of the committee time to file a report.

Senator Kerns, Chairman of the Committee on Roads, made the following report:

MR. PRESIDENT:

Your Committee on Roads, to which was referred Senate Bill No. 14, introduced by Senator Bozeman, begs leave to report the same back to the Senate, with the recommendation that the bill be amended as follows: Add after the word "order" in line 11 of section 2, the following: "Not less than twenty days before the date of hearing." Add after the word "viewers" in line 5 of section 3, the following: "Who shall not be related by blood or marriage to any of the parties to be effected by the proposed improvement." Add after the word "county," in section 5, the following: "And by posting up written or printed notices in five public places along the line of the proposed improvement." Insert the word "viewers" after the word "markers" in section 19, and when so amended, recommend that the bill do pass.

W. F. KERNS,  
Chairman.

Which report was concerned in.

Senator Bozeman, Chairman of the Committee on Banks, made the following report:

MR. PRESIDENT:

Your Committee on Banks, to which was referred Senate Bill No. 116, introduced by Senator Stuart, begs leave to report the same back to the Senate, with the recommendation that the same do pass, with the change that the imprisonment shall be one and five years, instead of five and fifteen years.

VIRGIL P. BOZEMAN,  
Chairman.

The report was concurred in.

Senator Bozeman, Chairman of the Committee on Banks, made the following report:

MR. PRESIDENT:

Your Committee on Banks, to which was referred Senate Bill No. 130, introduced by Senator McCord, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

VIRGIL P. BOZEMAN,  
Chairman.

Which report was concurred in.

Senator Baker, Chairman of the Committee on Revision of the Constitution, submitted the following report:

MR. PRESIDENT:

Your Committee on Revision of the Constitution, to which was referred Joint Resolution No. 1, introduced by Senator O'Brien, begs leave to report the same back to the Senate, with the recommendation that the same be adopted.

O. A. BAKER,  
Chairman.

Which report was concurred in.

Senator Mull, Chairman of the Committee on Labor and Labor Statistics, made the following report :

MR. PRESIDENT :

Your Committee on Labor and Labor Statistics, to which was referred Senate Bill No. 69, introduced by Senator Stuart, begs leave to report the same back to the Senate, with the recommendation that the bill do pass.

THOS. K. MULL,  
Chairman.

Which report was concurred in.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 11 and 61, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 11, entitled :

An act compelling railroad companies to establish and maintain suitable waiting-rooms and separate water-closets, for men and women, in cities and all towns of one hundred population or more, through which said roads are constructed, and defining the penalty for violation thereof.

Read the first time and referred to the Committee on Railroads.

Engrossed House Bill No. 61, entitled :

An act to authorize the incorporation of companies for the purpose of constructing, operating and maintaining tobacco warehouses and warehouses for the storage, sale and inspection of tobacco, and for the purpose of engaging in the business of buying, selling and dealing in tobacco, and declaring an emergency.

Read the first time and referred to the Committee on Corporations.

Senator Kern introduced Senate Bill No. 256, entitled :

A bill for an act regulating the business of insurance in this State carried on by non-resident copartnerships, firms, associations, persons or individual underwriters or their agents, prescribing penalties for its violation, and declaring an emergency.

Read the first time and referred to the Committee on Insurance.

Senator Vail, by request, introduced Senate Bill No. 257, entitled :

A bill for an act providing for the taxation of witness fees in cases of misdemeanors tried before any Justice of the Peace, City Judge or Mayor, where the defendant pleads guilty, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senate Bill No. 58 was read a second time and ordered engrossed.

Senate Bill No. 12, together with the amendment recommended by the Committee on Judiciary, was read a second time.

Senator Seller offered the following amendment :

MR. PRESIDENT :

I move to amend section two of the printed bill in line three by striking out the words "twenty-five (25) dollars" and by inserting in lieu thereof the words "one hundred (100) dollars."

SELLER.

Senators Kern and Seller demanded the ayes and noes.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Beck, Boyd, Bozeman, Collett, Cranor, Crumpacker, Gifford, Gostlin, Holler, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette,

Leyden, McKelvey, McLean, O'Brien, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, White, Wishard, Wray. Total, 32

Senator Newby voting in the negative.

So the amendment was adopted.

Senator Seller offered amendment No. 2, as follows:

MR. PRESIDENT:

I move to amend the amendment proposed by the committee as follows: By inserting after the word "commissions" in line one on page three of the printed bill the words "at any regular session," and by inserting after the word "writing" in line three, page three, the words "which application shall be filed with the Auditor and docketed at least five days previous to such meeting of the Board."

SELLER.

The amendment was adopted.

Senator Newby offered amendment No. 3, as follows:

MR. PRESIDENT:

I move to strike out the word "five" of the amendment, on page 3 of the printed bill, and insert in lieu thereof the words "five hundred."

NEWBY.

Which amendment was lost.

Senator Kern offered amendment No. 4, as follows:

MR. PRESIDENT:

I move to amend Senate Bill No. 12 by inserting the following section, No. 7½:

Any person who shall buy or receive any cigarette or package of cigarettes from any dealer who has not been licensed according to the provisions of this act shall be guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not less than five nor more than fifty dollars.

Which amendment was adopted.

On motion of Senator Kern the bill was recommitted with instructions to amend.



Senator Vail, Chairman of the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

The Senate Committee on Enrolled Bills report that they have compared Enrolled Senate Bill No. 45, and find the same correct.

L. W. VAIL,  
Chairman.

Which report was concurred in.

Senate Bill No. 59 was read the second time and ordered engrossed.

Senate Bill No. 57 was read the second time.

Senator Seller offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 57 by striking out all of said bill after the words "fee bill" in line ten of the printed bill and inserting in lieu thereof, the following: "Nor execution issued on any judgment rendered for cost only, and provided that household goods owned by such resident householder of a value not exceeding fifty dollars, shall not be liable to sale on execution or any other final process from any officer or court in this State."

SELLER.

Senators Kern and Seller demanded the ayes and noes.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Boyd, Bozeman, Collett, Crumpacker, Gifford, Gostlin, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McKelvey, McLean, O'Brien, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard, Wray. Total, 35.

None voting in the negative.

So the amendment was adopted.

The bill with the amendment was ordered engrossed.

Senate Bill No. 63 was read the second time.

On motion of Senator Vail the bill was referred back to the Committee on Insurance, with instructions to substitute the amended bill.

Senate Bill No. 90 was read the second time and ordered engrossed.

Senate Bill No. 124 was read the second time and ordered engrossed.

Senator Wishard moved that the constitutional rule requiring bills to be read on three several days be suspended.

The question being upon the suspension of the constitutional rule.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Barnes, Beck, Boyd, Bozeman, Collett, Cranor, Crumpacker, Ellison, Gifford, Gostlin, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McKelvey, McLean, O'Brien, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard, Wray. Total, 36.

None voting in the negative.

So the constitutional rule was suspended.

Senate Bill No. 124 was read the third time.

The question being upon the passage of the bill.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bird, Boyd, Bozeman, Cranor, Crumpacker, Gifford, Gostlin, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McKelvey, McLean, Newby, O'Brien, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard, Wray. Total, 37.

None voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senate Bill No. 125 was read the second time and ordered engrossed.

Senate Bill No. 144 was read the second time and ordered engrossed.

Senate Bill No. 48, together with the amendment printed therewith, was read the second time.

On motion of Senator Kern the amendment was adopted and the bill ordered engrossed.

The following communication was received from the President of the Senate:

*To the Senate:*

I have signed Senate Enrolled Act No. 45.

MORTIMER NYE,  
President of the Senate.

The Lieutenant-Governor submitted the following telegram:

WARSAW, IND., Jan. 28.

*Hon. R. B. Oglesbee, Secretary State Senate,*

*At Senate or Denison Hotel:*

Funeral late Senator Thayer here Wednesday, two o'clock P. M.

H. G. THAYER.

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## TUESDAY AFTERNOON.

JANUARY 29, 1895.

The Senate convened at 2 o'clock with President *pro tem.* Newby in the chair.

Senator Boyd offered the following resolution:

MR. PRESIDENT:

WHEREAS, Senator Wishard has informed me upon several occasions that it would be impossible for him to meet with the Committee on Benevolent Institutions on account of the fact that his time was wholly occupied with other committees, and

that he would like to be released from serving on the committee longer; therefore, be it

*Resolved*, That Senator Wishard be discharged from the committee as requested by him, and that Senator Shiveley of Wayne County, Indiana, be substituted as a member of the Committee on Benevolent Institutions in the place of Senator A. W. Wishard.

Which resolution was adopted.

Senator Boyd introduced Senate Bill No. 258, entitled:

An act entitled an act to regulate sleeping car service on passenger trains within the State of Indiana, and to define the charges for such service.

Read the first time and referred to the Committee on Corporations.

Senator Phares introduced Senate Bill No. 259, entitled:

A bill for an act to amend sections three (3), four (4), five (5), nine (9), fifteen (15) and twenty-six (26) of an act entitled an act concerning drainage under specified condition, being sections 5692, 5693, 5694, 5698, 5704, 5715 of Burns' Revision, 1894, and declaring an emergency. Approved March 7, 1891.

Read the first time and referred to the Committee on Swamp Lands and Drainage.

Senator Phares introduced Senate Bill No. 260, entitled:

A bill for an act to amend section 1 of an act to amend section 114 of an act entitled "An act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith; providing penalties therein prescribed, approved March 6, 1865, and declaring an emergency," approved March 3, 1893, being section 5968 of Burns' Revision of 1894.

Read the first time and referred to the Committee on Education.

Senator Sweeney introduced Senate Bill No. 261, entitled :

An act regulating the liabilities of common carriers in the transportation of passengers and property, and regulating the amount of weights upon which freights shall be charged, and providing penalties for the violation thereof.

Read the first time and referred to the Committee on Judiciary.

Senator Watson offered the following resolution :

MR. PRESIDENT :

WHEREAS, The Hon. John D. Thayer died on the 28th day of January, 1895, and was at that time a member of the Committee on Prisons, I therefore move that A. W. Wishard be made a member of said Committee.

Which resolution was adopted.

Senator Wishard introduced Senate Bill No. 262, entitled :

A bill for an act entitled an act for the encouragement of agriculture, making an annual appropriation to the Indiana State Board of Agriculture for the payment of premiums, and declaring an emergency.

Read the first time and referred to the Committee on Agriculture.

Senator Boyd introduced Senate Bill No. 263, entitled :

An act to provide for the erection of monuments and tablets to mark the positions of Indiana troops on the battle-fields of Chickamauga.

Read the first time and referred to the Committee on Military Affairs.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 118, introduced by Senator Sweeney, begs leave to report the same back to the Senate with a substitute therefor,

which is submitted herewith, with the recommendation that said substitute bill do pass.

L. P. NEWBY,  
Chairman.

The said substitute is as follows:

A bill for an act to amend section 389 of an act concerning proceedings in civil cases, approved April 7, 1881, and designated as section 546 of the Revised Statutes of 1881.

*Be it enacted by the General Assembly of the State of Indiana:* That section 389 of an act concerning proceedings in civil cases, approved April 7, 1881, and designated as section 546 of the Revised Statutes of 1881, be amended to read as follows: That in all cases tried by the jury, the court shall, at the request of either party in writing, made before the commencement of the argument by counsel, direct such jury to return a special verdict upon any or all the issues of such case. Such special verdict shall be prepared by the counsel on either side of such cause and submitted to the court, and be subject to change and modifications of the court. The same shall be in the form of interrogatories so framed that the jury will be required to find one single fact in answering each of such interrogatories; the jury on retiring shall take all the papers in the case including the instructions of the court and the interrogatories as approved by the court, and shall answer each of the interrogatories submitted to them.

Which report was concurred in.

The Committee on Agriculture made the following reports:  
MR. PRESIDENT:

A majority of your Committee on Agriculture, to which was referred Senate Bill No. 72, introduced by Senator Holler, begs leave to report the same back to the Senate, with the recommendation that the bill be amended as follows:

*First.* That section 7 of said bill be amended by inserting after the word "surgery" in line 2 the words, "as a profession"; also by inserting after the word "surgery" in line 3 the words, "as a profession".

*Second.* That section 8 of said bill be amended by striking out all of that portion of said section included between the

word "board" in line 9 and the word "said" in line 12 of said section; and by adding after the word "diploma" in line 12 the following clause: "That any one who has practiced veterinary surgery or veterinary medicine for five years in this State, prior to the taking effect of this act, shall receive a license without examination, the same as regular graduates: *Provided*, That such applicant shall establish that he has been a successful practitioner for such period by the affidavit of three disinterested freeholders." That the word "examination" in line 19 of section 9 be stricken out and the word "applicant" inserted; and that the words, "take place," in line 20 of said section 9, be stricken out and the words, "apply for a certificate." inserted; and that the following words be added at the close of said section 9: "and those passing a satisfactory examination before said State Veterinary Board."

That the following proviso be added at the end of section 13: *Provided*, That the provisions of this act shall not apply to those persons who practice castration or dehorning only, nor to any one who renders voluntary services, and when so amended that the bill do pass.

HOLLER,  
Chairman.

MR. PRESIDENT:

The minority of your Committee on Agriculture, having had Senate Bill No. 72, introduced by Senator Holler under consideration, begs leave to report the same back with the recommendation that the bill be indefinitely postponed.

W. F. KERNS,  
W. J. BETHELL.

On motion of Senator McLean, the bill together with both reports was ordered printed.

Senator McLean moved to adjourn.

The roll being called resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Beck, Gifford, Kern of Marion, Leyden, McKelvey, McLean, Wray. Total, 8.

Those voting in the negative were :

Senators Baker, Barnes, Bethell, Boyd, Bozeman, Collett, Crumpacker, Gostlin, Holler, Houghton, Humphreys, Johnston, Kerns of Vermillion, LaFollette, McCord, Newby, O'Brien, Phares, Rinear, Schneck, Self, Seller, Shiveley, Sweeney, Vail, Watson, White, Wishard. Total, 28.

So the motion was lost.

Senate Bill No. 88 was read the third time.

The question being upon the passage of the bill.

The roll being called resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Boyd, Bozeman, Collett, Gifford, Gostlin, Holler, Humphreys, Kern of Marion, Kerns of Vermillion, Leyden, McCord, McKelvey, McLean, Newby, O'Brien, Parker, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, White, Wishard, Wray. Total, 30.

Those voting in the negative were :

Senators Bethell, Cranor, LaFollette, Vail, Watson. Total, 5.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 114 was read the third time.

The question being upon the passage of the bill.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Boyd, Bozeman, Collett, Cranor, Gifford, Gostlin, Holler, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McKelvey, McLean, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard, Wray. Total, 37.

None voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.



Senate Bill No. 22, together with the amendment submitted by the committee, was read the second time.

On motion of Senator Seller the report of the Committee was concurred in and the bill ordered engrossed.

Senator Wishard moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 254 be advanced to the second reading.

The question being upon the suspension of the constitutional rule.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Boyd, Bozeman, Collett, Cranor, Gifford, Gostlin, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McKelvey, McLean, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, White, Wishard, Wray. Total, 35.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title, considered engrossed, and a third time by sections.

The question being upon the passage of the bill.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Baker, Barnes, Beck, Bethell, Boyd, Bozeman, Collett, Cranor, Gifford, Gostlin, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McKelvey, McLean, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard, Wray. Total, 36.

None voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Wishard offered the following resolution :

MR. PRESIDENT :

I move that Senator White be made a member of the Committee on Education, in place of Senator Thayer, deceased.

Which resolution was adopted.

Senator Gifford tendered his resignation as a member of the Committee on Inspection of the Journal.

Senator Parker moved that the resignation be accepted.

Senator Cranor moved that the motion lie on the table.

Which motion prevailed.

On motion of Senator Wray the Senate adjourned.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.

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### WEDNESDAY MORNING.

JANUARY 30, 1895.

The Senate convened at 10 o'clock A. M., with Lieutenant-Governor Nye in the chair.

Prayer was offered by the Rev. T. W. Henderson, of the Bethel A. M. E. Church.

After a portion of the Journal had been read, on motion of Senator Watson the further reading of the Journal was dispensed with.

Senator Cranor moved that Enrolled Senate Bill No. 45 be withdrawn for amendment.

The motion prevailed.

Senator Duncan introduced Senate Bill No. 264, entitled :

A bill for an act to provide funds for the benefit of the Indiana University, Purdue University and the Indiana State Normal School, and declaring an emergency.

Read the first time and referred to the Committee on Education.

Senator Duncan introduced Senate Bill No. 265, entitled :

"An act entitled an act to amend section 422 of an act concerning proceedings in civil cases," approved April 7, 1881, the section hereby amended being section 561, Revised Statutes of 1881, and being section 570, Revised Statutes of 1894 of the State of Indiana, and declaring an emergency.

Read the first time and referred to the Committee on Organization of Courts.

Senator Ellison introduced Senate Bill No. 266, entitled :

A bill for an act to amend sections 78 and 79 of an act entitled an act concerning the incorporation and government of cities having more than thirty-five thousand (35,000) and less than forty-nine thousand (49,000) population, according to the last preceding United States census, and matters connected therewith, and declaring an emergency, the same being section — of the compilation of the statutes known as Burns' Statutes of 1894, and approved March 3, 1893.

Read the first time and referred to the Committee on Cities and Towns.

Senator Haggard introduced Senate Bill No. 267, entitled :

A bill for an act entitled an act to amend section number one (1) of an act entitled "An act to amend section number one (1) of an act entitled 'An act to amend section number one (1) of an act entitled An act to amend section number one (1) of an act entitled an act concerning the organization and perpetuity of voluntary associations, and adding supplemental sections and declaring an emergency, approved March 6, 1889, and declaring an emergency, approved March 9, 1891, and declaring an emergency, and repealing all laws and parts of laws

in conflict therewith,''' approved March 3, 1898, and declaring an emergency, and repealing all laws and parts of laws in conflict therewith.

Read the first time and referred to the Committee on Benevolent Institutions.

Senator Holler introduced Senate Bill No. 268, entitled :

An act to prevent and punish the adulteration or mixing of meats, and regulating the sale thereof when adulterated or mixed.

Read the first time and referred to the Committee on Agriculture.

Senator Houghton introduced Senate Bill No. 269, entitled :

An act authorizing townships and counties, in this State, to construct and repair, or aid in the construction and repairing of, bridges over streams of water forming the boundary line between two townships in this State, whether said townships be in the same or in different counties, and prescribing the mode of making appropriations for that purpose, and declaring an emergency.

Read the first time and referred to the Committee on County and Township Business.

Senator McCutchan presented a petition from Farragut Post, G. A. R., of Evansville, asking for the establishment of a State Soldiers' Home in Tippecanoe County.

Read and referred to the Committee on Military Affairs.

Senator Mull introduced Senate Bill No. 270, entitled :

A bill for an act regulating the stopping of passenger trains on railroads running within the State of Indiana, prescribing a penalty for the violation thereof and declaring an emergency.

Read the first time and referred to the Committee on Railroads.

Senator Parker introduced Senate Bill No. 271, entitled :

A bill for an act supplemental to an act approved March 9, 1891, entitled an act to amend sections 15 and 16 of "An act concerning enclosures, trespassing animals and partition fences, approved June 4, 1852, defining a lawful partition fence, being sections 4848 and 4849 of the Revised Statutes of 1881, providing for building, rebuilding and maintaining and repairing thereof by the Trustee, and the assessment by said Trustee of an amount sufficient to make such fence lawful, and providing for the collection thereof, and repealing all laws and parts of laws in conflict therewith." Providing that owners of lands may enclose their lands by fences built wholly on their own land inside of the boundary lines, in which case they shall not be required to build any other fence, nor shall any person join his fence thereto without such owner's consent; prohibiting the turning loose of breachy and unruly live stock; the growth of brush, grubs and trees along the line of partition fences; providing for their removal; prohibiting the turning loose of live stock without a sufficient fence; requiring land owners to keep partition fences in repair; declaring certain acts unlawful and providing penalties, modifying and repealing conflicting acts, and declaring an emergency, with other provisions pertinent to the subject matter.

Read the first time and referred to the Committee on Agriculture.

Senator Phares presented a petition from citizens and ex-soldiers, of Benton County, asking for the establishment of a State Soldiers' Home.

Read and referred to the Committee on Military Affairs.

The following message was received from the House.

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 47, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed amended Senate Bill No. 104, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Said amendment is as follows:

MR. SPEAKER:

Your Committee on Cities and Towns, to which was referred Senate Bill No. 104, introduced by Mr. Leyden, begs leave to report the same back to the House with the recommendation that the same pass with the following amendment: On page 5, line 4, between the words "money" and "are," the following words be inserted, "in excess of one hundred thousand dollars."

HOLLOWAY,  
Chairman.

Senator Leyden moved that the amendment be concurred in.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Beck, Bethell, Bird, Boyd, Cranor, Crumpacker, Duncan, Ellison, Haggard, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray.  
Total, 37.

None voting in the negative.

So the amendment was adopted.

Senator Cranor offered the following:

MR. PRESIDENT:

I move that Enrolled Senate Bill No. 45 be referred to a committee of one, with instructions to amend the title thereof, by inserting the words "and five" after the word "four"

therein, and by prefixing to section two of said bill the following words: "That section five of said act be amended to read as follows: Section 5."

O. N. CRANOR.

Senator Cranor, to whom had been referred Senate Bill No. 45, reported as follows:

MR. PRESIDENT:

The undersigned, a committee of one, appointed to make certain amendments to Enrolled Senate Bill No. 45, reports that he has amended said bill as directed by the Senate.

O. N. CRANOR.

So the amendment was adopted.

The minority of the Committee on Roads presented the following report:

MR. PRESIDENT:

The undersigned minority of the Committee on Roads, to which was referred Senate Bill No. 53, introduced by Senator McKelvey, has had the same under consideration and begs leave to report the same back with the recommendation that the title of said bill be amended to read as follows:

A bill for an act to amend section six (6) of an act entitled, "An act concerning the construction of free gravel, stone or other macadamized roads, providing for their location, the manner of their construction and providing for the payment of the same and for their maintenance, and declaring an emergency," approved March 3, 1893, and declaring an emergency.

The undersigned further recommends that all of said bill following the enacting clause, except the emergency clause, be stricken out and in lieu thereof insert the following:

That section six (6) of the above entitled act be amended to read as follows:

Section 6. For the purpose of raising money necessary to meet said bonds and interest thereon, the Board of Commissioners shall annually thereafter, at the time the general tax levy is made, levy a special tax upon the property of the township or townships, including the towns and cities, if any there

be, of less than thirty thousand (30,000) inhabitants, in such manner as to meet the principal and interest of said bonds as they shall become due, and such tax shall be collected as other taxes and shall be applied to the payment of such bonds and interest.

If the road or section thereof so constructed runs into or through two or more townships the amount paid thereof shall be divided and charged upon the property of such townships in proportion to the cost of the road or section thereof in such townships, and said special tax be levied accordingly: *Provided*, That when the road runs into or through two or more townships the property of each of such townships, for the purpose of paying the principal and interest of said bonds, shall be taxed in proportion to the valuation of taxable property in each of such townships when it is so requested by the petitioners in their original petition.

It is also recommended that the emergency clause of said bill be numbered section 2, and when said bill is amended as herein set forth it is recommended that the bill do pass.

O. BIRD.

Senator Kern moved to refer Senate Bill No. 29 to the Committee on Judiciary, instead of the Committee on Railroads.

Which motion prevailed.

The consideration of Senate Bill No. 1, having been made a special order for this hour, was now taken up.

The first thing being the consideration of Amendment No. 5, offered by Senator Duncan.

Which amendment was lost.

Senator Ellison offered Amendment No. 6, as follows:

I move to add to section 11:

*Provided*, That such rules shall require those of the inmates who are able to render assistance in carrying on said Home, and that no more outside help shall be employed than absolutely necessary.

Which amendment was adopted.



Senator Shiveley offered Amendment No. 7, as follows:

MR. PRESIDENT:

I move to amend Senate Bill No. 1 by adding after the word "month" in line 9 in section 17, by adding the following:

"Providing that the State Treasurer may require an investigation as to the true number of inmates in said institution at any time."

Which amendment was adopted.

Senator Newby offered Amendment No. 8, as follows:

MR. PRESIDENT:

I move to amend section four (4) of Senate Bill No. 1 by striking out the words and figures "one thousand (\$1,000)" in line 4 of the printed bill and insert the words and figures, "seven hundred and twenty (\$720)".

The question being on the adoption of Amendment No. 8.

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Barnes, Bird, Duncan, Ellison, Gifford, Humphreys, Johnson, Kerns of Vermillion, LaFollette, McKelvey, Newby, Schneck, Seller, Wray. Total, 15.

Those voting the negative were:

Senators Baker, Beck, Bethel, Boyd, Collett, Cranor, Crumacker, Gostlin, Haggard, Houghton, Kern of Marion, Leyden, McCutchan, McLean, Mull, O'Brien, Parker, Phares, Rinear, Self, Shiveley, Stuart, Sweeney, Watson, White, Wishard. Total, 26.

So the amendment was lost.

Senator Cranor offered Amendment No. 9, as follows:

MR. PRESIDENT:

I move to amend Senate Bill No. 1 by adding to section 16 thereof the following: *Provided*, That no building or buildings or improvements of any kind shall be begun which can not be entirely completed and paid for out of the fund herein appropriated, or other funds actually in the hands of such

Board of Trustees when such building or other improvements are begun.

Which amendment was adopted.

Senator Gifford offered Amendment No. 10, as follows :

MR. PRESIDENT :

To amend section 10 by striking out of line 5 in said section the words, "over forty-five years of age," and by adding to the close of said section 10 the words, "*Provided further*, That no person shall be admitted to such home, who draws a pension of \$24 or more per month from the General Government."

Which amendment was lost.

Senator Kern offered Amendment No. 11, as follows :

MR. PRESIDENT :

I move to amend section 11 by adding the following :

In the admission of persons into said Soldiers' Home by said Commandant and other officers, preference shall be given in all cases to the ex-soldiers and sailors now inmates of the county poor houses in Indiana.

Which amendment was adopted.

The bill was ordered engrossed.

On motion of Senator Haggard, the further consideration of Senate Bill No. 7 was postponed until Friday morning, February 1, 1895.

The following communication was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 254, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Senate Bill No. 57 was read the third time.

The question being, Shall the bill pass?

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boyd, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Holler, Houghton, Humphreys, Johnston, Kern of Marion, LaFollette, Leyden, McCord, McCutchan, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneek, Self, Seller, Shiveley, Stuart, Sweeney, Watson, White, Wishard, Wray. Total, 39.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senate Bill No. 125 was read the third time.

The question being, Shall the bill pass?

The roll was called and resulted as follows.

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Boyd, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneek, Self, Seller, Shiveley, Stuart, Sweeney, Watson, White, Wishard, Wray. Total, 38.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senate Bill No. 22, was read the third time.

The question being, Shall the bill pass?

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bird, Boyd, Collett, Crumpacker, Duncan, Gifford, Gostlin, Holler, Houghton, Humphreys, Johnston, Kerns of Vermillion, Leyden, McCord, McCutchan, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, White, Wishard, Wray. Total, 86.

None voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senate Bill No. 144 was read the third time.

The question being, Shall the bill pass?

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bird, Boyd, Collett, Duncan, Ellison, Gifford, Gostlin, Houghton, Humphreys, Kern of Marion, LaFollette, Leyden, McCord, McCutchan, McKelvey, McLean, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Watson, White, Wishard, Wray. Total, 84.

Those voting in the negative were :

Senators Holler, Kerns of Vermillion, Newby. Total, 3.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senate Bill No. 13 was read the second time and ordered engrossed.

Senate Bill No. 172, as amended was read the second time and ordered engrossed.

Senate Bill No. 84 was read the second time.

Senator Shiveley offered Amendment No. 1, as follows:

MR. PRESIDENT:

I move to amend section 1 of Bill No. 84 by striking out the words "Section 1" in line one, and inserting said words "Section 1" in line five of said section after the word "follows."

SHIVELEY.

Which amendment was adopted and the bill ordered engrossed.

Senate Bill No. 68 was read the second time.

Senator Parker offered Amendment No. 1, as follows:

MR. PRESIDENT:

I move to amend Senate Bill No. 68 (McCutchan) by striking out all of section 1 after the word "thereof" in line nine, and inserting in lieu thereof the following words, to wit: "for the first offense be fined in any sum not less than five dollars nor more than five hundred dollars, and for any subsequent offense be fined in any sum not more than five hundred dollars and be imprisoned in the county jail not less than ten days nor more than six months."

I further move to amend said bill by striking out the second section thereof.

PARKER.

The amendment was adopted.

Senator Seller offered Amendment No. 2 as follows:

MR. PRESIDENT:

I move to amend Senate Bill No. 68 by striking out of line six of the printed bill the words "not being a traveler."

SELLER.

Which amendment was lost.

Senator Wray offered Amendment No. 3 as follows:

MR. PRESIDENT:

I move to amend Senate Bill No. 68, as follows: By striking out of said bill line one (1) of section one (1).

WRAY.

Senators McCutchan and Ellison demanded the ayes and noes.

The roll was called, and resulted as follows :

Those voting in the affirmative were :

Senators Bethell, Bird, Boyd, Cranor, Gifford, Holler, Houghton, Johnston, Kern of Marion, LaFollette, McCord, Mull, Newby, O'Brien, Schneck, Seller, Stuart, Watson, Wishard, Wray. Total, 20.

Those voting in the negative were :

Senators Alexander, Baker, Barnes, Bozeman, Collett, Crumpacker, Duncan, Ellison, Gostlin, Humphreys, Kerns of Vermillion, Leyden, McCutchan, McKelvey, McLean, Parker, Phares, Rinear, Self, Shiveley, Sweeney, White. Total, 22.

So the amendment was lost.

Senator Gifford offered Amendment No. 4, as follows :

MR. PRESIDENT :

Amend section 1 of said act by inserting after the word "fellow man" in line 9 the words without having first obtained license from the Circuit Court of the County where he resides, permitting him to do so.

GIFFORD.

Which amendment was lost.

Senator LaFollette offered Amendment No. 5, as follows :

MR. PRESIDENT :

I move to amend Senate Bill No. 68 by striking out the word "thirty" in line 12 of said bill, and inserting the word "five."

LAFOLLETTE.

Senator Kern moved that the further consideration of Senate Bill No. 68 be indefinitely postponed.

The roll being called, resulted as follows :

Those voting in the affirmative were :

Senators Baker, Bethell, Boyd, Collett, Cranor, Crumpacker, Duncan, Gifford, Gostlin, Holler, Houghton, Johnson, Kern of Marion, Kerns of Vermillion, LaFollette, McKelvey, McLean, Mull, Newby, O'Brien, Schneck, Seller, Shiveley, Stuart, Watson, White, Wishard, Wray. Total, 28.

Those voting in the negative were :

Senators Alexander, Barnes, Bird, Bozeman, Ellison, Humphreys, Leyden, McCord, McCutchan, Parker, Phares, Rinear, Self, Sweeney. Total, 14.

So the further consideration of Senate Bill No. 68 was indefinitely postponed.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bills Nos. 66, 93 and 107, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 66, entitled :

An act to amend section 16 of an act entitled "An act to provide for the opening, vacating and change of highways, approved June 17, 1852, the same being section 8016 of the Revised Statutes of 1881, repealing all laws in conflict therewith and declaring an emergency.

Read the first time and referred to the Committee on Roads.

Engrossed House Bill No. 93, entitled :

An act to amend sections one, two and three of an act entitled "An act to enable Trustees to receive lands and donations and convey the same for the use of schools, churches, religious societies, Masonic and Odd Fellows and Knights of Pythias Lodges, Sons and Daughters of Temperance, and for the construction of cemeteries, houses of worship or other buildings therein mentioned," approved June 17, 1852, being sections 3816 and 3817 and 3818 of the Revised Statutes of 1881.

Read the first time and referred to the Committee on Cities and Towns.

Engrossed House Bill No. 107, entitled:

A bill for an act to prevent fraudulent marriages, defining certain crimes in relation thereto and prescribing the punishment therefor, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senate Bill No. 238 was read the second time and ordered engrossed.

Senate Bill No. 54 was read the second time and ordered engrossed.

Senate Bill No. 147 was read the second time and ordered engrossed.

Senate Bill No. 115 was read the second time and ordered engrossed.

Senate Bill No. 181 was read the second time and ordered engrossed.

Senate Bill No. 141 was read the second time and ordered engrossed.

Senate Bill No. 69 was read the second time and ordered engrossed.

On motion of Senator Kern the Senate adjourned.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.



## THURSDAY MORNING.

JANUARY 31, 1895.

The Senate convened at 10 o'clock A. M., with Lieutenant-Governor Nye in the chair.

After a portion of the Journal had been read, on motion of Senator Houghton the further reading of the Journal was dispensed with.

Senate Bill No. 69 was ordered engrossed.

Senate Bill No. 116 was read the second time and ordered engrossed.

Senator Bethell introduced Senate Bill No. 272, entitled :

An act to regulate the purchase of blank books, blanks and stationery and other material for the several county offices for the conduct of public business, and prescribing penalties for violation of this act.

Read the first time and referred to the Committee on County and Township Business.

Senator Bethell introduced Senate Bill No. 273, entitled :

An act entitled an act to promote the science of medicine and surgery, by providing methods whereby human subjects for anatomical and scientific dissection and experiment, may be lawfully obtained, and prescribing penalties for violation thereof and repealing an act entitled, "An act to promote the science of medicine and surgery, by providing methods whereby human subjects, for anatomical and scientific dissection and experiment, may be lawfully obtained, and prescribing penalties for violation thereof, presented to the Governor March 12, 1879, and became a law by lapse of time," and declaring an emergency.

Read the first time and referred to the Committee on Public Health.

Senator Bird presented a petition from the citizens of Fort Wayne, Allen County, Indiana, asking that the Mechanics' Lein Law of this State remain as it is.

The petition was read and referred to the Committee on Judiciary.

Senator Kern introduced Senate Bill No. 274, entitled :

. An act to abolish days of grace.

Read the first time and referred to the Committee on Judiciary.

Senator Kern introduced Senate Bill No. 275, entitled :

An act to amend section 2071 of the Revised Statutes of 1881, which regulates the sale of milk, and declaring an emergency.

Read the first time and referred to the Committee on Public Health.

Senator LaFollette introduced Senate Bill No. 276, entitled :

A bill for an act to amend section five (5) of an act entitled an act concerning grand and petit juries, approved April 15, 1881, being section 1454 of Burns' Revision of Statutes of Indiana, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

By request, Senator Parker introduced Senate Bill No. 277, entitled :

An act to amend section two (2) of an act entitled "An act to authorize Township Trustees of incorporated towns and the common councils of cities to levy a tax for school purposes, approved March 9, 1867, being section 4470 of the Revised Statutes of 1881, repealing all laws in conflict and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

Senator Parker (by request) introduced Senate Bill No. 278, entitled :

An act to amend section one (1) of an act entitled "An act to amend section 114 of an act entitled an act to provide for a general system of common schools, the officers thereof and their respective powers and duties and matters properly connected therewith, and prescribing the fees for certain officers therein named, and the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, and declaring an emergency, approved March 3, 1893, repealing all laws in conflict therewith and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Seller introduced Senate Bill No. 279, entitled :

A bill for an act for the better regulating of proceedings in the matters of receivers, assignees and trustees of express trusts.

Read the first time and referred to the Committee on Judiciary.

Petitions asking for the enactment of a temperance education law in the State of Indiana were presented by the following Senators:

Shiveley, Wray, McDonald, Baker, O'Brien, Kerns, Boyd, LaFollette, Newby, Houghton, Rinear, Vail and Cranor.

Referred to the Committee on Temperance.

Senator Boyd, Chairman of the Committee on Benevolent Institutions, made the following report:

MR. PRESIDENT:

We, the Committee on Benevolent Institutions, beg leave to report on Senate Bill No. 36, introduced by Senator Newby, and recommend that it do pass.

THOS. E. BOYD,  
Chairman of Committee.

Which report was concurred in.

Senator Boyd, Chairman of the Committee on Benevolent Institutions, made the following report :

MR. PRESIDENT :

We, the Committee on Benevolent Institutions, to whom was referred Senate Bill No. 100, introduced by Senator Ellison, recommend that the bill do pass.

THOS. E. BOYD,  
Chairman.

The report was concurred in.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill Nos. 97 and 101, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 97, entitled :

An act regulating insurance companies doing business in this State and prescribing penalties for the violation thereof, providing for a hearing for violations of the same, and declaring an emergency.

Read the first time and referred to the Committee on Insurance.

Engrossed House Bill No. 101, entitled :

A bill for an act to amend section one (1) of an act entitled, "An act entitled an act to amend section number one (1) of an act entitled an act to amend section number one (1) of an act entitled an act concerning the organization and perpetuity of voluntary associations, and adding supplemental sections, and declaring an emergency, approved March 6, 1889, and declaring an emergency, approved March 9, 1891, and declaring an emergency, and repealing all laws and parts of law in conflict therewith." Approved March 3, 1893, and repealing all laws and parts of law in conflict therewith, and declaring an emergency.

Read the first time and referred to the Committee on Corporations.

Senator O'Brien, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 91, introduced by Senator Wishard, begs leave to report the same back to the Senate, with the recommendation that it do pass.

JAMES O'BRIEN,  
Chairman.

The report was concurred in.

Senator O'Brien, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred House Bill No. 21, introduced by Mr. Fowler, begs leave to report the same back to the Senate, with the recommendation that it do pass.

JAMES O'BRIEN,  
Chairman.

Which report was concurred in.

Senator Baker, Chairman of the special committee to which was referred Senate Bill No. 12, made the following report :

MR. PRESIDENT :

Your special committee, to which was referred Senate Bill No. 12 for amendments, in line with the report of the Judiciary Committee and the indicated sense of the Senate, begs leave to report the accompanying bill as a substitute for said bill No. 12, and recommend that the same do pass.

O. A. BAKER.

The following is the substitute bill :

A bill for an act to license the traffic in cigarettes and cigarette wrappers, and to provide against the evils resulting from the use of such as are deleterious to health.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That it shall be unlawful for any person, firm,

companies, corporation or copartnership, directly or indirectly, to sell, barter, or give away any cigarette, cigarette wrapper, or any substitute for either, without first procuring from the Board of County Commissioners of the county in which such traffic in cigarettes, cigarette wrappers, or any substitute for either is to be carried on a license therefor; and such Board of Commissioners shall grant such license only to persons over the age of twenty-one years, of good moral character, who makes applications therefor in writing, and who present the receipt of the County Treasurer for the license fee hereinafter provided.

SEC. 2. No license to sell cigarettes shall be issued to any dealer who shall have within two years previously sold or given away any cigarettes, cigars or tobacco, in any form, to any person under the age of sixteen years, and it shall be the duty of the Board of Commissioners before granting any such license to investigate the question of such previous sale or gift.

SEC. 3. The annual license fee for the wholesale traffic in cigarettes, cigarette wrappers, or any substitute for either, shall be the sum of one hundred (\$100) dollars, and for the retail traffic in the same shall be the sum of fifty (\$50) dollars, and all moneys received shall be paid into the school fund of the county where collected.

SEC. 4. That no license procured under the provisions of this act shall be transferable, and no license shall be issued for a greater or less period than one year.

SEC. 5. Every person, firm, company, corporation, or copartnership, shall, before engaging in the traffic in cigarettes, cigarette wrappers, or any substitute for either, post, or cause to be posted, and constantly displayed in a conspicuous place in the room or place where such traffic is to be carried on, the license issued to such person, firm, company, corporation or copartnership, under the provisions of this act.

SEC. 6. That it shall be unlawful for any person, firm, company, corporation or copartnership to sell, barter or give away directly or indirectly, any cigarette, or any substitute therefor, containing any substance other than tobacco and deleterious to health.

Sec. 7. Any person, firm, company, corporation or co-partnership violating any of the provisions of this act, shall be deemed guilty of a misdemeanor, and the person, whether as principal or agent, so violating, shall, upon conviction thereof, be fined in any sum not less than ten dollars (\$10.00), nor more than three hundred dollars (\$300) for each offense.

Sec. 8. That cities and incorporated towns within this State are hereby empowered to assess each person, firm, company, corporation or copartnership engaged in the wholesale traffic in cigarettes, cigarette wrappers or any substitute for either, annually, any sum not exceeding fifty dollars (\$50), and each person, firm, company, corporation or copartnership engaged in the retail traffic thereof, any sum not in excess of twenty-five dollars (\$25.00), in addition to the sums hereinbefore provided for; and no license issued by any city or incorporated town under the provisions of this section, shall be for a greater or less period than one year; and all assessments collected in any city or incorporated town, under the provisions of this section, shall be paid into the treasury of the city or incorporated towns where so collected.

Sec. 9. Whereas, an emergency exists for the immediate taking effect of this act, the same shall take effect from and after its passage.

The report was concurred in and the substitute bill was ordered printed.

Senator Baker, Chairman of the Committee on Insurance, made the following report:

MR. PRESIDENT:

Your Committee on Insurance, to which was referred Senate Bill No. 123, introduced by Senator Wishard, begs leave to report the same back to the Senate, with the recommendation that the same be amended as follows: By striking out of section four (4) of said bill the following words: "three fourths ( $\frac{3}{4}$ );" also the following consecutive words: "the other fourth to the informer of such violation;" also by striking out of said section four (4) the following consecutive words: "one-half such fine upon collection shall be paid into the treasury of the

county in which such action is brought, for the benefit of the common school fund, the other half to the informer of such violation," and that as so amended said bill do pass.

O. A. BAKER,  
Chairman.

Which report was concurred in.

The minority report of the Committee on Roads on Senate Bill No. 58 was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 185, introduced by Senator Haggard, begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 282, introduced by Senator Wray, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 207, introduced by Senator Shiveley, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.



Senator Newby, Chairman of the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 93, introduced by Senator McCutchan, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

The report was concurred in.

The Committee on Judiciary made the following reports:

MR. PRESIDENT:

The majority of your Committee on Judiciary, to which was referred Senate Bill No. 79, introduced by Senator LaFollette, begs leave to report the same back to the Senate with a substitute therefor, with the recommendation that further consideration of said bill and the substitute therefor be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Your minority of the Judiciary Committee moves to substitute the following bill for Senate Bill No. 79:

A bill for an act to amend section one (1) of an act entitled "An act declaring agreements to pay attorneys' fees contained in any bill of exchange, acceptance, draft, promissory note or other written evidence of indebtedness, illegal and void," and declaring an emergency, approved March 10, 1875.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That any and all agreements to pay attorney fees set forth in and made part of any bill of exchange, acceptance, draft, promissory note, or other written evidence of indebtedness, are hereby declared illegal and void: *Provided*, That nothing in this act shall be construed as applying to contracts made previous to the taking effect of this act.

Sec. 2. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in force from and after its passage.

And that said substitute bill do pass.

J. J. M. LAFOLLETTE,  
Of Judiciary Committee.

The question being upon the adoption of the minority report.

The roll being called, resulted as follows:

Those voting in the affirmative were:

Senators Baker, Bethell, Bozeman, Cranor, Crumpacker, Gifford, Humphreys, Johnston, Kerns of Vermillion, LaFollette, McDonald, O'Brien, Parker, Rinear, Wishard. Total, 15.

Those voting in the negative were:

Senators Alexander, Bird, Boyd, Collette, Gostlin, Holler, Houghton, Kern of Marion, Leyden, McHugh, McKelvey, Newby, Schnock, Self, Seller, Shiveley, Stuart, Vail, Watson, Wray. Total, 20.

So the minority report was lost.

The majority report was concurred in.

Senator Watson introduced Senate Bill No. 280, entitled:

An act entitled an act to amend section 206 of an act entitled an act for continuances in criminal causes, being section 1781 of the Revised Statutes of 1881, in force September 19, 1881, and section 7850 of Burns' edition of 1894 of the Statutes of Indiana, repealing all laws in conflict therewith and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Holler introduced Senate Bill No. 281, entitled:

An act to provide for the removal of obstructions, straightening and otherwise improving the Kankakee River, and draining the lands bordering upon and adjacent thereto. To create a Kankakee River Commission, and providing for the appointment and fixing the duties and compensation of members thereof, and fixing the duties and compensation of certain

other officers; providing for the assessment of benefits to lands, and for the sale of certain swamp lands, for the issue and sale of drainage bonds, and appropriating certain funds in the State Treasury, and declaring an emergency.

Read the first time and referred to the Committee on Swamp Lands and Drains.

Senator Houghton, Chairman of the Committee on Elections, made the following report:

MR. PRESIDENT:

Your Committee on Elections, to which was referred the matter of the contest of Adam Foust against John W. Rinear, for a seat in this Senate, state to the Senate that said committee has had the matter under consideration, and have taken evidence relating thereto, but will not be able to report on the same by the first day of February, 1896, as heretofore provided by resolution; therefore, be it

*Resolved*, That the time for reporting on said case be extended until next Thursday.

HOUGHTON,  
Chairman.

Which report was concurred in.

Senator Houghton, Chairman of the Committee on Elections, made the following report:

MR. PRESIDENT:

Your Committee on Elections, to which was referred Senate Bill No. 86, introduced by Senator Newby, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

H. Q. HOUGHTON,  
Chairman.

Which report was concurred in.

The Committee on Elections submitted the following reports:

MR. PRESIDENT:

The majority of your Committee on Elections, to which was referred Senate Bill No. 112, introduced by Senator Seller,

begs leave to report the same back to the Senate, with the recommendation that the further consideration thereof be indefinitely postponed.

H. Q. HOUGHTON,  
A. F. WRAY,  
W. C. WATSON,  
W. H. GOSTLIN,  
J. J. M. LAFOLLETTE.

MR. PRESIDENT :

A minority of your Committee on Elections, to which was referred Senate Bill No. 112, introduced by Senator Seller, begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

R. F. STUART.

The minority report was concurred in.

Senator Houghton, Chairman of the Committee on Elections, made the following report :

MR. PRESIDENT :

Your Committee on Elections, to which was referred Senate Bill No. 117, introduced by Senator Stuart, begs leave to report the same back to the Senate, with the recommendation that the bill be printed.

H. Q. HOUGHTON,  
Chairman.

The report was concurred in.

Senator Holler, Chairman of the Committee on Agriculture, made the following report :

MR. PRESIDENT :

Your Committee on Agriculture, to which was referred Senate Bill No. 283, introduced by Senator Wray, begs leave to report the same back to the Senate, with the recommendation that said bill do pass.

C. HOLLER,  
Chairman.

The report was concurred in.

Senator Holler, Chairman of the Committee on Agriculture, made the following report :

MR. PRESIDENT :

Your Committee on Agriculture, to which was referred Senate Bill No. 242; introduced by Senator Beck, begs leave to report the same back to the Senate with the recommendation that the bill do pass.

C. HOLLER,  
Chairman

Which report was concurred in.

Senator Holler, Chairman of the Committee on Agriculture, submitted the following report :

MR. PRESIDENT :

Your Committee on Agriculture, to which was referred Senate Bill No. 75, introduced by Senator Boyd, have had the same under consideration, and recommend that the bill be indefinitely postponed.

C. HOLLER,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 187, introduced by Senator Alexander, begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Shiveley offered the following resolution :

*Resolved*, That permission be given to but one committee to withdraw from the session of the Senate at one time, after Monday, February 4, 1895.

SHIVELEY.

Which resolution was adopted.

Senator Newby, Chairman of the Committee on Judiciary, submitted the following report :

**MR. PRESIDENT :**

Your Committee on Judiciary, to which was referred Senate Bill No. 192, introduced by Senator Collett, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Judiciary Committee, made the following report :

**MR. PRESIDENT :**

Your Committee on Judiciary, to which was referred Senate Bill No. 82, introduced by Senator Kern (by request), begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Kerns, Chairman of the Committee on Roads, made the following report :

**MR. PRESIDENT :**

Your Committee on Roads, to which was referred Senate Bill No. 205, introduced by Senator Seller, begs leave to report the same back to the Senate, with the recommendation that the bill do pass.

W. F. KERNS,  
Chairman.

The report was concurred in.

Senator Wishard introduced Senate Bill No. 282, entitled :

An act to amend an act entitled an act to incorporate the Western Mutual Life Insurance and Trust Company, approved February 15, 1839, and declaring an emergency.

Read the first time and referred to the Committee on Insurance.

Senator Shiveley introduced Senate Bill No. 283, entitled :

An act to provide for a revision of the statute laws of the State of Indiana in relation to municipal corporations, including counties, civil and school townships, cities and towns and all others, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bills Nos. 110, 117 and 184, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 110, entitled :

An act to authorize Boards of County Commissioners of counties where the contracts for the construction of court houses have been let and the construction has been commenced and entered upon, and when the proceeds of the sale of bonds of one per centum on the assessed valuation of the taxable property of such counties is insufficient to complete such buildings, to issue and sell county bonds to an amount not exceeding one per centum on the assessed valuation of the taxable property of such counties in addition to any bonds which may have heretofore been issued and sold, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 117, entitled :

A bill for an act repealing sections 1 and 2 of an act passed March 9, 1891, establishing the office of natural gas supervisor in the State of Indiana, and providing for the appointment of such officer; abolishing the office of natural gas supervisor, and repealing all laws and parts of laws in conflict with this act, and declaring an emergency.

Read the first time and referred to the Committee on Natural Gas.

**Engrossed House Bill No. 184, entitled :**

**An act concerning the cutting of hedge or other live fences along the lines dividing lands owned by different persons within the State of Indiana, providing penalties for their violations and repealing all laws in conflict herewith.**

**Read the first time and referred to the Committee on Agriculture.**

**Senator Humphreys introduced Senate Bill No. 284, entitled :**

**An act making an appropriation for the purpose of encouraging and promoting the study of agriculture through county institutes.**

**Read the first time and referred to the Committee on County and Township Business.**

**Senator Humphreys introduced Senate Bill No. 285, entitled :**

**An act declaring certain roads public highways.**

**Read the first time and referred to the Committee on Roads.**

**Senator Seller introduced Senate Bill No. 286, entitled :**

**A bill for an act to amend section 187, being section 2094 R. S. 1881 and section 2190 R. S. 1894, of an act entitled "An act concerning public offenses and their punishment," approved April 14, 1881.**

**Read the first time and referred to the Committee on Judiciary.**

**Senator Schneck introduced Senate Bill No. 287, entitled :**

**A bill for the regulation of compensation for legal advertisements in county and township business.**

**Read the first time and referred to the Committee on County and Township Business.**

**Senator Seller introduced Senate Bill No. 288, entitled :**

**A bill for an act defining a misdemeanor and fixing a punishment for the violation thereof.**

**Read the first time and referred to the Committee on Judiciary.**



Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 2, introduced by Senator Humphreys, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

The report of the committee was concurred in.

Upon request Senator Wray was excused from attendance until next Monday morning.

Upon request Lieutenant-Governor Nye and Senator Crumpacker were excused from attendance next Monday and Tuesday.

Senator Parker introduced Senate Bill No. 289, entitled:

A bill for an act supplemental to the act entitled, "An act concerning proceedings in civil cases," approved April 7, 1881, regulating the proceedings upon demurrer's evidence in civil causes, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

On motion of Senator Wishard the Senate adjourned.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.

## FRIDAY MORNING.

FEBRUARY 1, 1895.

The Senate met at 10 o'clock A. M., with Lieutenant-Governor Nye in the Chair.

After a portion of the Journal had been read, on motion of Senator Collett, the further reading of the same was dispensed with.

The President of the Senate announced that he had officially notified the Governor of the death of Senator Thayer.

Senator Newby presented a petition from the citizens of Henry County, asking for the passage of the House temperance bill, known as the "Nicholson Bill."

Read and referred to the Committee on Temperance.

Senators Beck and Mull presented petitions asking for the enactment of temperance education laws.

Read and referred to the Committee on Temperance.

Senator Bird presented a petition from citizens of Allen County, asking for certain legislation on fire insurance.

Read and referred to the Committee on Insurance.

Senator Cranor by request introduced Senate Bill No. 290, entitled:

A bill for an act for the protection of owners and keepers of hotels, inns, restaurants, boarding and eating houses, defining certain misdemeanors and their penalties, creating liens on certain property and providing for the enforcement of the provisions hereof. Repealing conflicting laws and declaring an emergency.

Read the first time and referred to the Committee on Rights and Privileges.

Senator Duncan introduced Senate Bill No. 291, entitled :

An act for the appointment of a Superintendent of the State Capitol and grounds, prescribing his duties and compensation, repealing all laws in conflict therewith, and declaring an emergency.

Read the first time and referred to the Committee on Public Buildings.

By request, Senator Haggard introduced Senate Bill No. 292, entitled :

A bill for an act to amend sections one and two of an act entitled an act fixing the number of the Trustees of the Purdue University, prescribing the manner of their appointment, providing for the organization of said board, and repealing all laws in conflict with the provisions of this act, approved March 9, 1875, and declaring an emergency.

Read the first time and referred to the Committee on Education.

Senator Mull introduced Senate Bill No. 293, entitled :

A bill for an act to amend an act entitled, "An act providing for notice of pendency and hearing of petitions by executors and administrators, or the sale of real estate for the payment of debts of decedents' estates, and relating to notices pending at the time of taking effect of this act, and declaring an emergency," approved March 9, 1891.

Read the first time and referred to the Committee on Judiciary.

Senator O'Brien presented a petition from citizens of Miami County, asking that there be no further legislation on the subject of mechanics' liens.

Read and referred to the Committee on Judiciary.

Senator O'Brien introduced Senate Bill No. 294, entitled :

A bill for an act to provide for the periodical enumeration of the male inhabitants of this State over the age of twenty-one

years in the year eighteen hundred and ninety-five and the year nineteen hundred and one, and every six years thereafter; to prescribe the duties and fix the compensation of officers in relation thereto; also to prescribe the penalties for a violation of official duty in connection with said enumeration, as well as the manner in and the courts by which said penalties shall be enforced, and to repeal certain laws in this act named and described by title, and declaring an emergency.

Read the first time and referred to the Committee on Legislative Apportionment.

Senator O'Brien introduced Senate Bill No. 295, entitled :

A bill for an act to make it a misdemeanor for any one person to obstruct a ditch or drain made by another person to reclaim and improve his wet or overflowed land, and prescribing punishment therefor.

Read the first time and referred to the Committee on Judiciary.

Senator Phares introduced Senate Bill No. 296, entitled :

A bill for an act constituting the Board of Commissioners of any county in this State a Board of Turnpike Directors, providing for the repair of turnpikes or free gravel roads, and for the appointment by said Board of Directors of a Superintendent of Free Gravel Roads, and stating the duties of said Board and Superintendent and repealing all laws in conflict therewith.

Read the first time and referred to the Committee on Roads.

Senator Holler introduced Senate Bill No. 297, entitled :

A bill for an act for the protection of fish.

Read the first time and referred to the Committee on Agriculture.

On motion of Senator Newby Senate Bill No. 282 was re-committed to the Committee on Judiciary.

On motion of Senator Haggard Senate Bill No. 1 was made a special order for Monday, February 4, at 10 o'clock A. M.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 247, introduced by Senator Self, begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 122, introduced by Senator Seller, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 177, introduced by Senator Newby, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 257, introduced by Senator Vail, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Duncan, Chairman of the Committee on Education, submitted the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 109, introduced by Senator McLean, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

The report was concurred in.

The Committee on Education made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 146, introduced by Senator Self, begs leave to report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

H. C. DUNCAN,  
Chairman.

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 134, introduced by Senator Shiveley, begs leave to report the same back to the Senate, with the recommendation that the same be printed for the information of the Senate.

H. C. DUNCAN,  
Chairman.

The report was concurred in.

Senator Holler, Chairman of the Committee on Agriculture, made the following report :

MR. PRESIDENT :

Your Committee on Agriculture, to which was referred Senate Bill No. 218, introduced by Senator Wishard, begs leave to report the same back to the Senate, with the recommendation that the bill be indefinitely postponed.

C. HOLLER,  
Chairman.

Which report was concurred in

Senator Houghton, Chairman of the Committee on Elections, made the following report :

MR. PRESIDENT :

Your Committee on Elections, to which was referred Senate Bill No. 118, introduced by Senator Seller, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

H. Q. HOUGHTON,  
Chairman.

The report was concurred in.

Senator O'Brien, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 218, introduced by Senator McCutchan, begs leave to report the same back to the Senate with the recommendation that the same do pass.

JAMES O'BRIEN,  
Chairman.

Which report was concurred in.

Senator O'Brien, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 136, introduced by Senator Vail, for the purpose of preparing a substitute bill, begs leave to report the following as a substitute for the original bill, and recommend that the same be substituted for the original bill, and when so substituted that the bill do pass.

JAMES O'BRIEN,  
Chairman.

Said substitute bill is as follows :

A bill for an act to amend an act, entitled : " An act authorizing the common councils of cities, organized under an act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribing their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto, approved March 14, 1867, to divide the said cities into wards, to change the boundaries of existing wards and to redistrict the same for ward purposes, providing for the publication of notice of such action, repealing all laws and parts of laws in conflict herewith, and declaring an emergency, approved March 14, 1891, authorizing the common councils of cities organized under the general laws of the State to divide the said cities into wards and voting precincts, and providing for publication of such action, and declaring an emergency and repealing all laws or parts of laws in conflict therewith.

" SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That sections 1, 2, 3, and 4 of an act entitled an act authorizing the common councils of cities, organized under an act to repeal all general laws now in force for the incorporation of cities and to provide for the incorporation of cities, prescribing their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto, approved March 14, 1867, to divide



the said cities into wards, to change the boundaries of existing wards, and to redistrict the same for ward purposes, providing for the publication of notice of such action, repealing all laws and parts of laws in conflict herewith, and declaring an emergency, approved March 14, 1891, authorizing the common councils of cities, organized under the general laws of the State, to divide said cities into wards and voting precincts, and providing for the publication of such action, and declaring an emergency, and repealing all laws and parts of laws in conflict herewith," be amended to read as follows :

Section 1. The Common Council of all cities organized under the general laws of the State shall have the power, and are hereby invested with the authority to divide the said cities into wards and voting precincts and to redistrict the cities for ward and voting precinct purposes, and for the purpose of holding city elections whenever in their judgment it is expedient to do so ; such wards shall contain, as nearly as possible, an equal number of voters and be composed of compact and contiguous territory : *Provided, however,* That whenever practicable the Common Council shall adopt the division into voting precincts as made by the Board of County Commissioners : *Provided, further,* That no division into wards and precincts or redistricting for ward purposes shall be made oftener than once in two years.

Section 2. The Common Councils of cities shall, when changing the boundaries of wards and voting precincts, do so by ordinance and shall give notice of such action by at least three publications for three successive weeks, and at least one month before any election, in two papers of opposite political published in said city.

Section 3. All laws and parts of laws coming in conflict with any of the provisions of this act, be and the same are hereby repealed.

Section 4. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in force from and after its passage.

Which report was concurred in.

Senator McLean introduced Senate Bill No. 298, entitled :

A bill for an act to amend section 114 of an act fixing the compensation and prescribing the duties of certain State and county officers, and providing penalties for the violation of its provisions, passed March 9, 1891.

Read the first time and referred to the Committee on Fees and Salaries.

Senator Johnston introduced Senate Bill No. 299, entitled :

A bill for an act to amend section four of an act entitled, "An act concerning husband and wife," approved April 16, 1881; the same being section 5119 of the Revised Statutes of 1881.

Read the first time and referred to the Committee on Judiciary.

Senator Mull, by request, introduced Senate Bill No. 300, entitled :

A bill for an act to amend sections 1 and 2 of an act to encourage the study of agriculture, horticulture, economic entomology and agricultural chemistry, providing for county institutes, prescribing the duties of Trustees, and faculty of Purdue University in connection therewith, and making an appropriation therefor, approved March 9, 1889.

Read the first time and referred to the Committee on Agriculture.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 145, and Concurrent Resolution No. 4, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 145, entitled :

An act requiring persons, associations and corporations owning or operating street cars to provide for the well being of employes, and providing penalties for the violation thereof.

Read the first time and referred to the Committee on Labor.

House Concurrent Resolution No. 4:

WHEREAS, Various charges have been made through the public press and otherwise, relating to the conduct of certain public officers, therefore be it

*Resolved by the House of Representatives, the Senate concurring,* That a committee of three on the part of the House, composed of two Republicans and one Democrat, and three on the part of the Senate, composed of two Republicans and one Democrat, be appointed to investigate (1) the conduct of the Attorney-General during the last four years, the amount of fees and sources and whence collected and the compensation of said Attorney-General. (2) The condition of the State Treasury and the funds thereof. Such committee shall have power to administer the oath to persons testifying before it, and to require the attendance of persons and production of papers and records, and said joint committee shall have the further powers and is hereby directed to extend its investigations to such other State public officers as it may deem for the public good.

*And be it further resolved,* That said Joint Committee shall report to this General Assembly the evidence, if any, adduced in such investigation, together with such legislation, if any, as ought to be enacted relating to said public officers; and that said report be made not later than the fifteenth day of February, 1895.

Read the first time and referred to the Committee on Fees and Salaries.

Senator Cranor moved that when the Senate adjourns it adjourn until 10 o'clock A. M., Monday.

Which motion prevailed.

On motion of Senator McCutchan the Senate adjourned.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.

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MONDAY MORNING.

FEBRUARY 4, 1895.

The Senate met pursuant to adjournment, with President *pro tem*. Newby in the chair.

After a portion of the Journal had been read, on motion of Senator Boyd the further reading of the same was dispensed with.

Senator Kern introduced Senate Bill No. 301, entitled :

A bill for an act to amend section 899 and to repeal sections 400 and 401 of an act entitled, "An act concerning proceedings in civil cases," approved April 7, 1891, and declaring an emergency.

Read the first time and referred to the Committee on Affairs of the City of Indianapolis.

Senator Phares presented a petition, signed by the citizens of Boswell, Ind., asking that there be no amendments to the mechanics' lien law.

Read and referred to the Committee on Judiciary.

Senator Self introduced Senate Bill No. 302, entitled :

A bill for an act to legalize the incorporation of the town of Leavenworth, in Crawford County, Indiana, and to legalize the election and qualification of the several Boards of Trustees and other officers, and all acts and ordinances, resolutions and by-laws, and the levying, assessment and collection of taxes, and other proceedings of the Board of Trustees of said town, and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

Senator Seller presented a memorial from Coleman Grange, No. 519, urging that Senate Bills Nos. 66 and 67 be passed.

Read and referred to the Committee on Agriculture.

Senator Seller introduced Senate Bill No. 303, entitled :

A bill for an act entitled, an act regulating the subject of horse racing, defining the meaning of certain terms, prohibiting horse racing at certain seasons, prescribing a penalty for a violation of the provisions of this act, prescribing rules of procedure, giving certain civil remedies, authorizing the institution of civil suits, and declaring an emergency.

Read the first time and referred to the Committee on Agriculture.

Senator Seller introduced Senate Bill No. 304, entitled :

A bill for an act to amend section 276 of an act entitled, "An act concerning proceedings in civil cases," approved April 7, 1881.

Read the first time and referred to the Committee on Judiciary.

Senator Haggard moved that proceedings and further action on Senate Bill No. 1 be taken up at 3 o'clock this afternoon.

Which motion was adopted.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 221, introduced by Senator McCord, begs leave to report the same back to the Senate with the recommendation that the same be amended by striking out the words in line 21 on page 2 of the bill and insert in lieu thereof the word "six," and when so amended that the same do pass.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 219, introduced by Senator McCutchan, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 51, introduced by Senator McCutchan, begs leave to report the same back to the Senate, with the recommendation that further consideration of the same be indefinitely postponed.

L. P. NEWBY,  
Chairman.

The report of the committee was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 222, introduced by Senator Alexander, begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 196, introduced by Senator Alexander, begs leave to report the same back to the Senate with the recommendation that further consideration of the same be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 193, introduced by Senator Alexander, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 226, introduced by Senator Newby, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 20, introduced by Senator Houghton, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Holler, Chairman of the Committee on Agriculture, made the following report:

MR. PRESIDENT:

Your Committee on Agriculture, to which was referred back Senate Bill No. 66, introduced by Senator Holler, begs leave to report the same back, with the recommendation that the bill be amended as hereinafter specified, to wit: That the words and figures, "and the one-tenth ( $\frac{1}{10}$ ) of all fines collected by prosecution under this act," be stricken out of section 1. That section 2 of said bill be stricken out, and the following substituted as section 2:

SEC. 2. It shall be the duty of said Commissioner to analyze and inspect any article of meats, butter, cheese, lard, syrup, honey, sugar, milk, cream, vinegar, or other articles of food made or offered for sale within the State of Indiana as an article of food, and to prosecute or cause to be prosecuted any person or persons, firm or firms, corporation or corporations engaged in the manufacture or sale of any adulterated or counterfeit article or articles of food, in violation of or contrary to any law or laws of the State of Indiana.

That section three of said bill be stricken out and the following be substituted as section three:

SEC. 3. The owner, operator, agent or manager of any farm building, creamery, milk wagon, factory, store, sales room, hotel, restaurant, boarding house, saloon or other place where said Commissioner has reason to believe food is made, prepared, consumed, sold or offered for sale, shall, upon the re-



quest of the said Commissioner or any of his assistants, permit such Commissioner or assistant to take a sample of such food from any cask, can, tub or package containing or supposed to contain any article of food, and to examine or cause to be examined or analyzed such sample.

And any owner, operator, agent or manager of any such farm building, creamery, milk wagon, factory, store, sales room, hotel, restaurant, boarding house, saloon or other place where food is made, prepared, consumed, sold, or offered for sale, who shall refuse such Commissioner or his assistants such sample upon request as provided in this section, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not to exceed one hundred dollars.

That section five be stricken out, and the following substituted as section five:

SEC. 5. There shall be assessed as costs in every case where an analysis of samples of impure, adulterated or imitation food has been offered in evidence, the cost and expense of making the same not to exceed twenty dollars (\$20), which when collected shall be paid over to the Dairy and Food Commissioner or his assistant, of the State of Indiana, which shall be used by him to defray and pay the expense of having made such test.

And that section 6 be stricken out of the bill, and when so amended that the bill do pass.

C. HOLLER,  
Chairman.

Which report was concurred in.

Senator Phares, Chairman of the Committee on Swamp Lands and Drains, made the following report:

MR. PRESIDENT:

Your Committee on Swamp Lands and Drains, to which was referred Senate Bill No. 198, introduced by Senator Crumpacker, begs leave to report the same back to the Senate, with the recommendation that said bill be indefinitely postponed.

ISAAC H. PHARES.

Which report was concurred in.

Senator Phares, Chairman of the Committee on Swamp Lands and Drains, made the following report :

MR. PRESIDENT :

Your Committee on Swamp Lands and Drains, to which was referred Senate Bill No. 87, introduced by Senator Seller, begs leave to report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

ISAAC H. PHARES,  
Chairman.

Which report was concurred in.

Senator Phares, Chairman of the Committee on Swamp Lands and Drains, submitted the following report :

MR. PRESIDENT :

Your Committee on Swamp Lands and Drains, to which was referred Senate Bill No. 21, introduced by Senator Seller, begs leave to report the same back to the Senate with the recommendation that the same do pass.

ISAAC H. PHARES,  
Chairman.

The report was concurred in.

Senator Phares, Chairman of the Committee on Swamp Lands and Drains, made the following report :

MR. PRESIDENT :

Your Committee on Swamp Lands and Drains, to which was referred Senate Bill No. 176, introduced by Senator McDonald, begs leave to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

ISAAC H. PHARES,  
Chairman.

Which report was concurred in.

Senator Mull, Chairman of the Committee on Labor and Labor Statistics, made the following report:

MR. PRESIDENT:

The Committee on Labor and Labor Statistics, to which was referred Senate Bill No. 44, introduced by Senator Cranor, respectfully report that said bill be amended as follows:

*First.* After the words "Secretary of State" in line 2 of section 1 of said bill, insert "The Auditor of State."

*Second.* By amending section 11 by adding thereto the following: *Provided*, That no part of this act shall be construed as exempting boilers of steamboats in service on inland lakes and rivers, and that it shall be the duty of the said boiler inspector or his deputies to inspect the hulls of all steamboats in the service on inland lakes and rivers under the same penalties to the owner or owners thereof as is provided in this act.

And that after such amendments are so made that said bill do pass.

THOS. K. MULL,  
Chairman.

Senator Schnæck moved to recommit.

Which motion was lost.

And the report of the committee was then concurred in.

Senate Bill No. 168 was read the second time and ordered engrossed.

Senate Bill No. 14 was read the second time and ordered engrossed.

Senate Bill No. 186 was read the second time and referred to a special committee composed of Senators Ellison and Collett for amendment.

Senate Bill No. 100 was read a second time and ordered engrossed.

Senate Bill No. 118 was read the second time.

Senator Ellison offered Amendment No. 1, as follows :

MR. PRESIDENT :

I move to strike out of line 11 of section 1 of bill No. 118, the following words, " including the instructions of the court."

ELLISON.

Senator Kern offered the following substitute for Amendment No. 1 :

MR. PRESIDENT :

I move to amend Senate Bill No. 118 by adding after the word "court" in line 11 the following words: " if in writing."

KERN.

Senator Cranor offered the following substitute for the substitute to Amendment No. 1 :

MR. PRESIDENT :

I move to amend Senate Bill No. 118 by striking out all of line 11 after the word "including" and by striking out the word "and" where it first occurs in line 12.

CRANOR.

Which substitute was lost.

Senator Kern's substitute was then adopted.

Senator Seller offered Amendment No. 2, as follows :

MR. PRESIDENT :

I move to amend substitute Senate Bill No. 118, by striking out of lines 11 and 12 in the printed bill the following words: " All the papers in the case."

SELLER.

Senator Duncan offered the following substitute for Amendment No. 2 :

MR. PRESIDENT :

I move the following substitute :

Strike out the word "papers," in line 11, insert in lieu thereof the word "pleadings."

DUNCAN.

Which substitute was adopted.

Senator Seller offered Amendment No. 3, as follows:

MR. PRESIDENT:

I move to amend Substitute Senate Bill No. 118 by striking out of line 5 in the printed bill the words "before the commencement of the argument by counsel," and by inserting in lieu thereof the following: "At least one day before the day set for trial."

SELLER.

Which amendment was lost and the bill was ordered engrossed.

Senator Houghton requested that Senator Shiveley be indefinitely excused from attendance on account of sickness.

The request was granted.

Senate Bill No. 128 was read the second time.

Senator Houghton offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 128 by inserting after the word payable, in line 14 of section 1, the words "annually or."

HOUGHTON.

Which amendment was adopted and the bill ordered engrossed.

Senate Bill No. 67 was read the second time.

Senator Ellison offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 67 in the following manner: By striking out the following words of section 1, namely, "Color, stain or powder" in line 2; also "and drink" on the same line; also "or drink" in line 3; also "whether" and the words "or not" after the word "health", in line 4; also the words "colored, stained or powdered" in line 6, and to insert the word "when" in place of the word "whether," being the first word in line 4, and the words "as so mixed" after the word "health" in place of the words "or not" in said line 4.

And to amend section 2 by striking out the words, "mix any grape sugar or glucose with syrup or sugar intended for human food or," between the word "shall" in line 1 and the word "use" in line 2, and to add at the end of said section the words, "except as herein provided."

And to amend section 3 by striking out the words, "glucose, grape sugar" in line 1, and the words "and any other foreign substance" in line 2, and to strike out the third and fourth words of line 3, being the words "other product," and inserting therein "cooking compound," and also to strike out the words "glucose, grape sugar" in line 6, and the words "or other foreign substance" at the end of said line 6 and beginning of line 7; also to strike out the words "glucose, grape sugar" in line 9, and the words "or other foreign substances" at the end of said line 9 and the beginning of line 10.

And to amend section 5 by inserting between the word "cheese" and the word "shall" the words, "or a compound to be used for cooking purposes."

To strike out section 7 entirely.

To amend section 10 by striking out the words "convicted of" in line one and inserting in line two between the words "shall" and "for" the words "be deemed guilty of a misdemeanor, and, upon conviction," and to strike out the word "drink" in line 9 of said section 10.

Also to strike out section 11 entirely.

To amend section 12 by striking out the words "and his assistants by him appointed, at the end of line 1 and the beginning of line 2.

ELLISON.

On motion of Senator Cranor, the bill was recommitted to the Committee on Agriculture with instructions to prepare a substitute bill.

Senator Holler made the following motion:

I move that Senate Resolution, which was reported from the Finance Committee January 18, be recommitted to said committee for amendment.

Which motion prevailed.

Senate Bill No. 2 was read a second time and ordered engrossed.

By request Senator Boyd introduced Senate Bill No. 305, entitled :

An act to amend section 2 of an act entitled, "An act to enable incorporated towns to lay out, open, grade and improve streets and alleys, and make public improvements therein, and to make surveys and adopt plats where the same have been lost or destroyed, and prescribing the duties of the Board of Trustees, and providing for the mode of working and improving streets and alleys, and declaring an emergency," approved April 27, 1869.

Read the first time and referred to the Committee on Judiciary.

Senator McCutchan introduced Senate Bill No. 306, entitled :

A bill for an act defining the First and Eleventh Judicial Circuits, and creating and defining the Fifty Seventh Judicial Circuit, fixing the times of holding court therein, providing for the appointment and election of Judges and Prosecuting Attorneys, and otherwise regulating the manner of holding courts in said circuits.

Read the first time and referred to the Committee on the Organization of Courts.

Senator Cranor introduced Senate Bill No. 307, entitled :

An act to render unnecessary the filing of the entire estimate or assessment, or a copy thereof, with the complaint in actions brought by cities not having a population of more than thirty-five thousand inhabitants, as shown by the last preceding United States census, or towns incorporated under the laws of this State, or contractors with such cities or towns, or assignees of such contractors, to enforce and foreclose street, alley or sewer assessments and liens, and matters properly connected therewith, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senate Bill No. 1 was read the third time.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Collett, Cranor, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Self, Seller, Stuart, Sweeney, Vail, Watson, White, Wishard, Wray. Total, 48.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senator McCutchan moved to advance Senate Bill No. 213 to the second reading.

Which motion prevailed.

Senator McCutchan moved that the constitutional rule requiring bills to be read on three several days be suspended and the bill read a second time by title, considered engrossed and read the third time by sections and put upon its passage.

The question being upon the suspension of the constitutional rule.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Cranor, Duncan, Ellison, Haggard, Holler, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Stuart, Sweeney, Vail, Watson, White, Wishard, Wray. Total, 41.

None voting in the negative.



So the constitutional rule was suspended, the bill read the second time by title, considered engrossed and read the third time by sections, and put upon its passage.

The question being upon the passage of the bill.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Barnes, Beck, Bethell, Bird, Boord, Boyd, Cranor, Duncan, Ellison, Gifford, Haggard, Holler, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Sellar, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 40.

None voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Parker introduced Senate Bill No. 308, entitled :

An act relative to bonds and other obligations, with surety or sureties and the acceptance as surety thereon of companies qualified to act as such, and the release of such surety, and the safe depositing of assets for which such surety may be liable, and to the charging by fiduciaries of the expense of procuring sureties, and repealing all laws in conflict therewith and declaring an emergency.

Read the first time and referred to the Committee on Insurance.

On motion of Senator Kern the Senate adjourned.

LEONIDAS P. NEWBY,  
WILLIAM S. ENNES, President *pro tem.* of the Senate.  
Assistant Secretary of the Senate.

## TUESDAY MORNING.

FEBRUARY 5, 1895.

The Senate met at 10 o'clock, with President *pro tem.* Newby in the chair.

After a portion of the Journal had been read, on motion of Senator Baker, the further reading of the same was dispensed with.

Senator Barnes introduced Senate Bill No. 309, entitled :

A bill for an act to amend section nine (9) of an act entitled an act to amend sections two (2), fifteen (15), nineteen (19), twenty-three (23), twenty-six (26), twenty-nine (29), thirty-four (34), forty-four (44), forty-five (45), forty-six (46); forty-seven (47), forty-nine (49), fifty-two (52) and sixty five (65) of an act entitled an act concerning elections, providing penalties for the violation of the same, and repealing all laws in conflict therewith, approved March 6, 1889, which act was approved March 6, 1891.

Read the first time and referred to the Committee on Judiciary.

Senator McLean offered the following resolution :

*Resolved*, That whereas the corrupt use of money in this State in past elections has been notorious, and is an evil which is growing in spite of our excellent laws regulating the ballot, and whereas the various bills intended to provide against such corrupt use of money in our elections, introduced in both branches of the present General Assembly, has not made such progress as to give assurance of their final passage; therefore, be it

*Resolved*, That the Committee on Elections be requested to examine into and report, at an early day, upon the expediency of some more rigorous statutory enactments against the corrupt use of money in our elections in this State, including specially the following :

*First.* A statutory provision providing proper penalties, regulating the assessment of candidates for office, and office holders, limiting such assessments, if same are regarded as a necessary evil in our present political condition.

*Second.* Limiting the amount of voluntary and enforced campaign contributions made upon the false, flimsy and corrupt pretense that such contributions are made for legitimate campaign expenses, the purchase and distribution of alleged political literature, which so called literature nobody reads; and the employment of political speakers who are never listened to; and if present statutes are inadequate for the suppression of such abuses and the proper preservation of the purity of our elections, the said committee is hereby instructed to frame and present a bill to this Senate, looking to the cure of all such abuses, if the same are regarded as curable.

Read and referred to the Committee on Elections.

Senator McLean introduced Senate Bill No. 310, entitled:

An act to amend section one of an act entitled, "An act to permit the formation of drainage districts for agricultural purposes, and to encourage the formation thereof by a mutual agreement among the parties in interest, and defining the powers of such districts and declaring an emergency," approved March 4, 1898.

Read the first time and referred to the Committee on Swamp Lands and Drains.

Senator Cranor presented a petition from Ford L. Benton and others, asking that the bill providing for the re-location of county seats be not passed.

Read and referred to the Committee on County and Township Affairs.

Senator Cranor presented a petition from Greeley Bros. and others, asking that the present mechanics' lien law be allowed to remain as it is.

Read and referred to the Committee on Judiciary.

Senator Baker presented a petition from Taylor & Brown and others, protesting against any change in the present mechanics' lien law.

Read and referred to the Committee on Judiciary.

Senator Newby introduced Senate Bill No. 311, entitled :

A bill for an act requiring instructions in the common schools and in certain educational institutions, as to the effect of alcoholic drinks and narcotics on the human system.

Read the first time and referred to the Committee on Temperance.

Senator O'Brien introduced Senate Bill No. 312, entitled :

A bill for an act supplemental to an act passed by the General Assembly of the State of Indiana on the subject of lawful fences, partition fences, the building and repairing of the same, approved March 9, 1891.

Read the first time and referred to the Committee on County and Township Business.

Senator Parker introduced Senate Bill No. 313, entitled :

A bill for an act to amend section two hundred and fifty-eight (258) of an act entitled "An act concerning proceedings in civil cases," approved April 7, 1881, and in force September 19, 1881, the same being section 416 of the Revised Statutes of 1881.

Read the first time and referred to the Committee on Judiciary.

Senator Phares presented a petition from J. W. Hughes and others asking that the present mechanics' lien law be allowed to remain as it is.

Read and referred to the Committee on Judiciary.

Senator Self introduced Senate Bill No. 314, entitled :

A bill for an act to amend section 152 of an act entitled "An act concerning taxation, and repealing all laws in conflict therewith, and declaring an emergency," approved March 6, 1891.

Read the first time and referred to the Committee on County and Township Business.

Senator Self introduced Senate Bill No. 315, entitled :

A bill for an act to authorize political parties to have witnesses or watchers to the count of ballots at any general or special election held for the election of officers, and to note and make memoranda of the result of such election, and of ballots counted or rejected, and repealing all laws in conflict therewith, and declaring an emergency.

Read the first time and referred to the Committee on Elections.

Senator Sweeney presented a petition from Theodore Kiefer and others asking for the passage of Senate Bill No. 165.

Read and referred to the Committee on Corporations.

Senator Seller introduced Senate Bill No. 316, entitled :

A bill for an act appropriating money in payment of the claim of Andrew M. Sweeney for copying order books 1, 6 and 13 of the Supreme Court of the State.

Read the first time and referred to the Committee on Claims.

Senator Seller offered the following resolution and moved its adoption :

WHEREAS, The Senate has learned with deep feeling of regret of the death of General Mahlon D. Manson, of Crawfordsville, Indiana, formerly Lieutenant-Governor of this State, and presiding officer of this body, and long and honorably identified with the political and civil history of the State as a member of the General Assembly, Representative in Congress, Auditor of State, Lieutenant-Governor, Revenue Collector, member of the

Soldiers' and Sailors' Monument Commission, and many other important positions, all of which he filled with credit to himself and honor to his State. As a soldier he is justly entitled to the encomium so long borne by him, "A hero of two wars," since he served with honor and distinction in the war with Mexico and the war of the Rebellion, in which he received several wounds which doubtlessly hastened his death. His memory deserves to be cherished and the Senate heartily concurs in the recommendations made by the Mexican War Veterans, that his statue in connection with the Soldiers' Monument would be a fitting representation of the Mexican War period, as well as of a brave Indiana soldier; therefore, be it

*Resolved*, That the sincere and earnest sympathy of the Senate be extended to the widow and children of the deceased.

*Resolved*, That the Secretary be directed to transmit to the family of our dead patriot a properly authenticated copy of this preamble and these resolutions.

J. M. SELLER.

The resolution was adopted by a rising vote.

Senator Vail introduced Senate Bill No. 317, entitled :

A bill for an act to provide for indemnifying parties whose property may be destroyed in consequence of mobs or riots.

Read the first time and referred to the Committee on Judiciary.

Senator Vail introduced Senate Bill No. 318, entitled :

A bill for an act providing for the issuance and sale of bonds for the purpose of purchasing grounds and the erection of buildings for school purposes, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Vail introduced Senate Bill No. 319, entitled :

A bill for an act concerning the cutting down and destroying of briars, thistles, burrs, docks and other noxious weeds by owners of lands along public highways.

Read the first time and referred to the Committee on Agriculture.

Senator Wray (by request) presented a petition from Cash McCoy and others praying for the passage of the Nicholson Bill or any other good temperance measure.

Read and referred to the Committee on Temperance.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your committee, to which Senate Bill No. 49, introduced by Senator LaFollette, and Senate Bill No. 232, introduced by Senator Wray, were referred, hereby recommends that the further consideration of each of said bills be indefinitely postponed and that in lieu thereof the following bill be substituted for said bills, and that the substitute bill do pass.

L. P. NEWBY,  
Chairman.

The report was concurred in.

The following is the substitute bill:

A bill for an act to amend section one (1) of an act entitled an act to amend section number one (1) of an act entitled an act to amend section number one (1) of an act entitled an act to amend section number one (1) of an act entitled an act concerning the organizations and perpetuity of voluntary associations, and adding supplemental sections, and declaring an emergency, approved March 9, 1891, and declaring an emergency, and repealing all laws and parts of laws in conflict therewith, approved March 3, 1893, and declaring an emergency and repealing all laws and parts of laws in conflict therewith.

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana, That section number one (1) of the above entitled act be amended, and the same is hereby amended to read as follows, to wit:*

Section 1. That any number of persons may voluntarily associate themselves, by written articles, to be signed by each person who may be a member at the time of organization, specifying the objects of the same, the corporate name they may adopt to designate such objects pursuant to this act, the

names and places of residence of each member or stockholder, with an impression and description of the corporate seal, and in what manner persons shall be elected or appointed to manage the business and prudential concerns of any such association that may have been or shall hereafter be formed for either of the following purposes:

*First.* To establish and maintain associations for horticulture or agricultural purposes, or to promote and encourage the mechanical arts, or for literary or scientific purposes, or for dredging or deepening the channels of rivers and creeks, or for the improvement of harbors, or for constructing, operating and maintaining sewers, or for constructing, operating and maintaining a system of drainage for private and public property.

*Second.* To establish and maintain schools or institutions for the education of males or females upon such terms and conditions, and upon such plan or system as shall be agreed upon.

*Third.* To establish and maintain asylums for the care and support and discipline and education of orphan children (the words "orphan children" to mean any person within the age of sixteen years who has been deprived of parental care by the death of either father or mother or both of them), or to establish or maintain homes for the care and support of aged females who can not support themselves from their own means or by their own industry, or to establish or maintain asylums for the care and support of crippled persons who can not from their own means or by their own industry support themselves. It shall be lawful to provide in one asylum or home for the care, education and support of orphans, together with the support of aged females and that of crippled persons, as specified in this section, or either of them.

*Fourth.* To purchase or hold suitable grounds for the burial of the dead, with the power of ornamenting and protecting the same, to be controlled, regulated and managed in such a manner as shall be set forth in the articles of association.

*Fifth.* To organize lodges or other bodies of Masons or Odd Fellows, Knights of Pythias, Uniform Rank of Knights of Pythias, Ancient Order United Workmen, Benevolent Order of Elks, Knights of Honor and Knights and Ladies of Honor,



Royal Arcanum and Continental Fraternal Union, or other mutual benefit associations or orders, according to their respective laws; also divisions or associations of temperance or other charitable associations or orders; to organize churches, conferences and religious societies; also the Independent Order of Foresters, including the high and subordinate courts thereof; also to organize and maintain societies for the prevention of cruelty to either animals or children, or both, and to organize a State Grange of the order of Patrons of Husbandry, and other granges subordinate to the State Grange.

*Sixth.* To organize military and fire companies; also, companies to erect suitable buildings for public meetings, or to plant or protect shade trees in public grounds or spaces in towns and cities.

*Seventh.* To organize safe deposits and loan companies.

*Eighth.* To organize associations for the purpose of building, owning and carrying on hotels.

*Ninth.* To organize associations for the purpose of buying, holding and selling real estate.

*Tenth.* To organize associations for the purpose of buying, leasing and holding mineral springs, the improvement of the grounds attached thereto, and the building and carrying on of hotels, cottages, bath houses and other conveniences thereon for the use of visitors, and to organize associations for the purpose of carrying on pleasure or health resorts, the erection and maintenance of hotels, club, boating and bathing houses, sanitariums and gymnasiums in connection therewith, and for the maintenance of gymnastics or physical training schools.

*Eleventh.* To organize companies for the purpose of sinking and operating oil and gas wells, and of selling the product of such wells.

*Twelfth.* To establish and maintain companies or associations for the purpose of importing livestock into the United States, or to establish and maintain companies or associations for the purpose of registering and maintaining a register of imported registered livestock imported into the United States, and for the improvement of such imported livestock.

*Thirteenth.* To organize associations for the purpose of buying and selling merchandise and conducting mercantile operations.

*Fourteenth.* To organize associations for the purpose of dispensing charity to the poor, and, in connection therewith, to assist the Township Trustee in his duties, as overseer of the poor, in taking care of the poor.

*Fifteenth.* To organize forwarding and commission companies, and to own and operate wharfboats in connection therewith, upon any of the rivers within or bordering upon the State of Indiana.

*Sixteenth.* To organize companies for the purpose of carrying on the business of insuring titles to real estate, and to make abstracts, loans and collections in connection therewith, and otherwise act as agent, attorney in fact and trustee for persons and corporations.

*Seventeenth.* To establish and maintain houses for boys and girls who are indigent or homeless, and to aid them in obtaining employment, education and permanent homes.

*Eighteenth.* To establish women's exchanges in order to promote co-operation among them, to give laboring women employment, and to secure sales of the products of their labor and such articles as their necessities compel them to sell, and the associations named in clauses numbered seventeen and eighteen shall have the power to purchase and hold real estate and convey the same and receive donations, devises and bequests of real and personal property for the use and benefit of such associations.

*Nineteenth.* To organize companies for the purpose of buying and selling State, county, municipal and all other bonds, of borrowing and loaning money, of buying and selling promissory notes, bills of exchange, accounts, choses in action, fees and all other evidence of indebtedness, and of buying and selling real estate and personal property in connection therewith.

*Twentieth.* To organize and maintain companies or associations for the purpose of aiding, indemnifying and protecting the medical profession in scientific researches and in the practice of medicine and surgery.

SEC. 2. All laws and parts of laws in conflict herewith are hereby repealed.

SEC. 3. Whereas an emergency exists for the immediate taking effect of this act, therefore the same shall be in force from and after its passage.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 29, introduced by Senator Kern, begs leave to report the same back to the Senate, with the recommendation that the same be amended as follows, to wit: by inserting after the word "section" in line 2 of section 2 the words "After 30 days' written notice by the authorities of such city or town, shall be served on such railroad company." Also, by striking out the words "for each and every day of said failure or neglect" in line 3 of section 2. Also, by striking out the word "twenty" in line 5 of section 3, and insert the word "ten" in lieu thereof.

Also by striking out the words "fees and" in line 1 of section 4, and by inserting after the word "act" in line 2 of section 5 the words "within the time prescribed in the notice hereinbefore provided for."

And that when said bill is so amended that the same do pass.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Memorial, introduced by Senator Ellison, begs leave to report the same back to the Senate, with the recommendation that

the same be referred to Senator Ellison, with instructions to prepare and introduce a bill covering the subject matter of the Memorial, with special instructions to preserve in the bill the phraseology of the Memorial.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 212, introduced by Senator Seller, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 224, introduced by Senator Kern, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Holler, Chairman of the Committee on Agriculture, made the following report :

MR. PRESIDENT :

Your Committee on Agriculture, to which was referred Senate Bill No. 268, introduced by Senator Holler, begs leave to report the same back to the Senate, with the recommendation that the bill do pass.

C. HOLLER,  
Chairman.

The report was concurred in.

Senator Holler, Chairman of the Committee on Agriculture, made the following report:

MR. PRESIDENT:

Your Committee on Agriculture would report the following as a substitute for Senate Bill No. 67, as introduced by Senator Ellison:

An act to prevent the adulteration of dairy products and other articles of food in certain cases, to regulate the manufacture of adulterated articles of food and the sale thereof when adulterated in certain cases, providing penalties for the violation of this act, and the manner in which the violation thereof shall be furnished.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That no person shall mix any article of food, or article which enters into the composition of food with any other ingredient or material when injurious to health, as so mixed, for the purpose of gain or profit, or sell or offer for sale the same, or order or permit any other person to sell or offer for sale any articles so mixed, unless the same be manufactured, used or sold or offered for sale under its true and appropriate name, and notice that the same if mixed or impure is marked, printed or stamped upon each package, roll, parcel or vessel containing the same so as to be and remain at all times readily visible.

SEC. 2. No person shall use any skim milk, or milk that is partly skimmed in the manufacture of cheese, or mix any oleomargarine, swine, beef fat, lard, or any other foreign substance, with butter intended for human food, except as herein provided.

SEC. 3. No person shall mix or mingle any skim milk, oleomargarine, swine, beef fat, lard with any butter, cheese, or cooking compound intended for human food, without distinctly marking, stamping and labeling the article, or package, containing the same with a true and appropriate name for such article, with the contents thereof, and the percentage in which oleomargarine, beef fat, swine lard enters into its combination, nor shall any person sell or offer for sale, or permit to be sold by himself or his agents, any of such food into the com-

position of which such skim milk, oleomargarine, swine, beef fat or lard has entered without at the same time informing the purchaser thereof.

SEC. 4. No person, by himself or his agents or servants, shall render or manufacture, sell, offer for sale, expose for sale or have in his possession with intent to sell, any article, product or compound made wholly or partly out of any fat, oil or oleaginous substance or compound thereof not produced directly and at the time of manufacture from unadulterated milk or cream from the same, which shall be in imitation of yellow butter produced from pure, unadulterated milk or cream from the same: *Provided*, That nothing in this act shall be construed to prohibit the manufacture or sale of oleomargarine in a separate and distinct form, and in such manner as will advise the consumer of its real character, free from coloration or ingredient that causes it to look like butter.

SEC. 5. Every person who lawfully manufactures any substance designed to be used as a substitute for butter or cheese or a compound to be used for cooking purposes shall mark by branding, stamping or stenciling upon the top and side of each box, firkin, tub, or other package in which said article shall be kept, and in which it shall be removed from the place where it is produced in a plain and durable manner in the English language, the words, "a substitute for butter," or "a substitute for cheese," or "a compound for cooking purposes," as the case may be, in printed letters in plain Roman type, each of which shall not be less than one (1) inch in length by one-half ( $\frac{1}{2}$ ) inch in width.

SEC. 6. No person by himself or another shall ship, consign or forward in any way, whether a public or private conveyance, any substance designed to be used as a substitute for butter or cheese, and no carrier shall knowingly receive the same for the purpose of forwarding or transporting unless it shall be manufactured and marked, as provided in the preceding section of this act, and unless it be consigned by the carrier and receipted for by its true name: *Provided*, That this act shall not apply to any goods in transit between foreign States across the State of Indiana.

SEC. 7. Every keeper or proprietor of any bakery, hotel,

boarding house, restaurant, saloon, lunch-counter, or any place of public entertainment, who shall keep, use or serve therein, either as food for his guests, boarders, patrons, customers or employes, or for cooking purposes, any imitation butter or cheese, or other compound, or who shall serve any substance designed as a substitute for butter or cheese, as herein defined, shall display and keep posted a card opposite each table in a conspicuous place, where the same may be easily seen and read in the dining-room, lunch-room, restaurant, bakery, hotel, boarding-house, saloon or place of public entertainment and places where such substitute is sold, used or disposed of, which card shall be white, and in size not less than ten (10) by fourteen (14) inches, on which shall be printed in plain black Roman letters not less in size than one (1) inch in length and one-half ( $\frac{1}{2}$ ) inch in width, the words "a substitute for butter used here" or "adulterated products used in cooking here," as the case may be; and said cards shall not contain any other words than the ones above described.

SEC. 8. No person shall deface, erase, cancel or remove any mark provided for by this act with intent to mislead, deceive any person or violate any of the provisions of this act.

SEC. 9. Any person or persons violating any of the provisions of any of the foregoing sections of this act shall be deemed guilty of a misdemeanor, and upon conviction for the first offense be fined not less than ten dollars (\$10) nor more than fifty dollars (\$50); for the second offense they shall be fined not less than fifty dollars (\$50) nor more than two hundred dollars (\$200), and for the third and all subsequent offenses they shall be fined not less than two hundred dollars (\$200) and not more than five hundred dollars (\$500), to which may be added imprisonment in the county jail for a period not more than six (6) months; there shall be assessed as costs in every case where an analysis of a sample of impure, adulterated or imitation food or dairy products has been offered in evidence, the cost and expense of making the same not to exceed twenty dollars (\$20), which when collected shall be paid over to the Dairy and Food Commissioner of the State of Indiana, which shall be used by him to defray and pay the expense of having made such test.

SEC. 10. It shall be the duty of the State Dairy and Food Commissioner to enforce the provisions of this act.

SEC. 11. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

C. HOLLER,  
Chairman.

The report was concurred in.

Senator Holler, Chairman of the Committee on Agriculture, made the following report:

MR. PRESIDENT:

Your Committee on Agriculture, to which was referred Senate Bill No. 297, introduced by Senator Holler, begs leave to report the same back to the Senate, with the recommendation that the bill do pass.

C. HOLLER,  
Chairman.

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 228, introduced by Senator Self, begs leave to report the same back to the Senate, with the recommendation that it be indefinitely postponed.

H. C. DUNCAN.  
Chairman.

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, submitted the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 163, introduced by Senator Shiveley, begs leave to report the same back to the Senate, with the recommendation that it do pass.

H. DUNCAN,  
Chairman.

The report of the committee was concurred in.



Senate Bill No. 58 was read the third time.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Bozeman, Cranor, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Seller, Stuart, Sweeney, Vail, Watson, Wray. Total, 38.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title to the act?

It was so ordered.

Senate Bill No. 53 was read the second time and ordered engrossed.

Senate Bill No. 109 was read the second time and ordered engrossed.

Senate Bill No. 36 was read the second time and ordered engrossed.

Senate Bill No. 110 was read the second time.

Senator Stuart offered the following amendment:

MR. PRESIDENT:

I move to strike out all of section four of said bill, declaring an emergency.

STUART.

Which amendment was adopted and the bill was ordered engrossed.

Senate Bill No. 177 was read the second time and ordered engrossed.

Senate Bill No. 226 was read the second time and ordered engrossed.

Senate Bill No. 113 was read the second time and ordered engrossed.

Senate Bill No. 122 was read the second time and ordered engrossed.

Senator Stuart moved that the consideration of Senate Bill No. 117 be made the special order for 10 o'clock next Tuesday.

Which motion prevailed.

Senator McDonald introduced Senate Bill No. 320, entitled :

An act providing for the election of all Judges of Courts of General and Appellate Jurisdictions, by an election to be held for such officers only, and repealing all laws in conflict therewith.

Read the first time and referred to the Committee on Judiciary.

Senate Bill No. 90 was read the third time.

The question being, Shall the bill pass?

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bozeman, Cranor, Duncan, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, LaFollette, Leyden, McCord, McCutchan, McHugh, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Stuart, Sweeney, Vail, Watson, Wishard, Wray. Total, 37.

Senator Kerns of Vermillion voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senate Bill No. 233 was read the second time and ordered engrossed.

Senate Bill No. 37 was read the second time.

Senator Seller offered Amendment No. 1, as follows :

MR. PRESIDENT :

I move to amend Senate Bill No. 37 by adding to section two at the end thereof the following proviso :

*Provided*, That in all causes hereafter decided by such courts wherein a petition for a rehearing is filed, there shall be granted upon the written request of either party an oral argument on the matter of such petition under the same rules now adopted, or which may be hereafter adopted by such courts concerning oral arguments.

SELLER.

Which amendment was adopted.

Senator Wray offered Amendment No. 2, as follows :

MR. PRESIDENT :

I move to amend Senate Bill No. 37 as follows :

By adding to and at the end of section one (1) of said bill the following words :

*Provided*, That in all causes hereafter decided by such courts wherein a petition for a rehearing is filed, such petition shall be considered and action thereon determined by the full bench of the court, and said cause shall then be referred to one of the Judges, but not the same Judge, who prepared the original opinion of the Court in said cause, to prepare the opinion of the Court in the decision upon such petition for rehearing.

WRAY.

Which amendment was adopted.

Senator Ellison offered Amendment No. 3, as follows :

MR. PRESIDENT :

I move to amend Senate Bill No. 37 by striking out section three (3).

ELLISON.

Which amendment was adopted.

The bill with the amendments was ordered engrossed.

Senate Bill No. 14 was read the third time.

On motion of Senator McCord, the bill was recommitted to the Committee on Roads.

Senate Bill No. 168 was read the third time.

On motion of Senator Seller, the bill was recommitted back to the author for amendment.

Senate Bill No. 69 was read the third time.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Bird, Cranor, Gifford, Humphreys, Johnston, Kern of Marion, McCutchan, McDonald, McHugh, McKelvey, Mull, Parker, Phares, Rinear, Self, Seller, Stuart, Sweeney, Wray. Total, 22.

Those voting in the negative were:

Senators Beck, Boord, Bozeman, Duncan, Ellison, Gostlin, Holler, Houghton, Kerns of Vermillion, LaFollette, Leyden, McCord, Newby, O'Brien, Schneck, Vail, Watson, Wishard. Total, 18.

So the bill failed to pass for the want of a constitutional majority.

Senator Bird, to whom was referred Senate Bill No. 168, made the following report:

MR. PRESIDENT:

Your committee of one to whom was recommitted Senate Bill No. 168, begs leave to report that he has amended the bill by striking out of line one in section 3 the following words, "and all fines," and by striking out of lines five, six and seven of said section 3 the following words: "Each Township Trustee shall collect, receipt for and receive all fines imposed and collected by the courts in this township on account of the violation of the provisions of this act."

And by striking out sections 5 and 8 and renumbering section 6 as section 5 and 7 as section 6, and by amending title by striking therefrom the words at the close thereof "and declaring an emergency."

BIRD.

Which report was concurred in.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bird, Boord, Bozeman, Duncan, Ellison, Gifford, Gostlin, Holler, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCutchan, McDonald, McHugh, McKelvey, Mull, Parker, Phares, Rinear, Schneck, Self, Seller, Sweeney, Watson, Wishard, Wray. Total, 33.

Those voting in the negative were:

Senators Cranor, Johnston, Stuart, Vail. Total, 4.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senator Kerns, Chairman of the Committee on Roads, made the following report:

MR. PRESIDENT:

Your Committee on Roads, to which was recommitted Engrossed Senate Bill No. 14, introduced by Senator Bozeman, respectfully report back the same to the Senate, with the recommendation that the following additional amendment be made to the bill:

Strike out section 21, declaring an emergency, and in lieu thereof insert the following as section 21 of the bill: Nothing herein shall be construed as a repeal or amendment of existing laws.

*Second.* The following to be inserted in section 12, after line nine: " *Provided*, That any person against whose lands assessments of benefits have been made shall have the preference at the same rate over any other contractor to take as much of the

work as shall at the contract price amount to his assessment, and any person electing to take a part of the work under this proviso shall be governed by the same requirements as other contractors.

The intention of any person to take a part of the work under the foregoing proviso shall be made known in writing to the Board of Commissioners on the day upon which the bids for the work are opened and before the contracts for the work are awarded.

And when so amended recommend that the bill do pass.

W. F. KERNS,  
Chairman.

H. Q. HOUGHTON,  
V. P. BOZEMAN,  
CHRISTIAN HOLLER,  
O. BIRD,  
JOHN W. RINEAR.

The report was concurred in.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Baker, Beck, Bethell, Bird, Boord, Bozeman, Cranor, Duncan, Ellison, Gifford, Gostlin, Haggard, Houghton, Johnston, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, Phares, Rinear, Schneck, Self, Stuart, Sweeney, Vail, Watson. Total, 30.

Those voting in the negative were:

Senators Alexander, Barnes, Holler, Humphreys, Kern of Marion, Mull, O'Brien, Parker, Seller, Wishard, Wray. Total, 11.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senate Bill No. 116 was read the third time.

On motion of Senator Parker, the bill was recommitted to the Committee on Banks.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 28 and 32, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill, No. 28, entitled :

A bill for an act to regulate the anchoring, landing, or beaching of family, shanty, junk, and fish boats, or other similar water craft, and prescribing penalties for its violation.

Read the first time and referred to the Committee on Rights and Privileges.

Engrossed House Bill No. 32 :

An act concerning pensions for disabled or retired firemen and dependents of deceased firemen, providing for pensioning the widows and orphans of deceased firemen; providing for pensioning the dependent wives and children of retired or disabled firemen; providing for pensioning dependent fathers and mothers and dependent brothers and sisters of disabled or retired firemen; providing for a fund out of which such pension shall be paid; providing for a Board of Trustees for the management and distribution of such fund; providing and prescribing regulations relative to the mode of obtaining, preserving, using and disbursing such fund; declaring to what cities and fire departments this act shall apply, repealing former acts and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

Senator Newby, Chairman of the Committee on Judiciary, made the following reports :

MR. PRESIDENT :

A majority of your Committee on Judiciary, to which was

referred Senate Bill No. 119, introduced by Senator Watson, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
L. W. VAIL,  
O. N. CRANOR,  
J. J. M. LAFOLLETTE.

MR. PRESIDENT:

A minority of your Committee on Judiciary, to which was referred Senate Bill No. 119, introduced by Senator Watson, beg leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

JNO. W. KERN,  
SAMUEL PARKER.

On motion of Senator Watson, the consideration of Senate Bill No. 119 was made the special order for Thursday, at 2 o'clock.

On motion of Senator Ellison, the Senate adjourned.

LEONIDAS P. NEWBY,  
President *pro tem.* of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.

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### WEDNESDAY MORNING.

FEBRUARY 6, 1895.

The Senate convened at 10 o'clock A. M., with Lieutenant-Governor Nye in the chair.

Prayer was offered by the Rev. Haywood, of the A. M. E. Church.

After a portion of the Journal had been read, on motion of Senator McManus the further reading was dispensed with.



Senator Parker introduced Senate Bill No. 321, entitled :

An act authorizing the Governor of the State, in his own name or in the name of the State on his relation, to institute and maintain actions to enjoin, restrain and prohibit the commission of any acts against property, public peace, public morals, public health, public policy, or in violation of any of the statutes of the State providing for the issuing of temporary restraining orders and injunctions, and authorizing the court in such actions, whenever it shall find it necessary to so do, to appoint a receiver for the property in which such illegal acts are being committed, regulating other matters connected therewith, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Parker introduced Senate Bill No. 322, entitled :

A bill for an act providing who may act as a detective or spy, and under what conditions and in what territory he may so act, and prescribing penalties and punishments for so acting contrary to the provisions hereof.

Read the first time and referred to the Committee on Judiciary.

Senator Leyden offered the following memorial from the Regents of the Northern Cemetery, of New Albany, and the New Albany Commercial Club :

*General Assembly of the State of Indiana:*

DEAR SIRs—The undersigned pray your honorable body for an appropriation sufficient to erect an appropriate monument on a lot, donated and prepared to receive it in the Northern Cemetery at New Albany, Indiana, in memory of the Hon. A. P. Willard, ex-Governor of the State of Indiana, the Hon. M. C. Kerr, ex-Speaker of the House of Representatives of the United States, and to Hon. Geo. V. Hawk, ex-Judge of the Supreme Court of the State of Indiana.

Read and referred to the Committee on Finance.

Senator Cranor presented a memorial from the citizens of Delaware County asking for legislation to prevent the pollution of rivers, streams and lakes by straw-board works and factories engaged in the manufacture of straw-board.

Read and referred to the Committee on Public Health.

Senator Houghton introduced Senate Bill No. 323, entitled:

A bill for an act providing for the construction of free gravel, stone or other macadamized roads, providing for their location, the manner of their construction, and providing for the payment of the same and for their maintenance, and declaring an emergency.

Read the first time and referred to the Committee on Roads.

Senator Collett introduced Senate Bill No. 324, entitled:

A bill for an act to amend section one of an act, approved March 6, 1891, entitled, "An act to amend section one (1) and section fifteen (15) of an act providing for voluntary assignments of personal and real property in trust for the benefit of creditors and regulating the mode of administering the same, approved March 5, 1859," and being section 2899 of the Revised Statutes of 1894, and to amend section two (2) and section seven (7) of an act, approved March 5, 1859, entitled, "An act providing for voluntary assignments of personal and real property in trust for the benefit of creditors and regulating the mode of administering the same," being sections 2900 and 2905 of the Revised Statutes of 1894; and also to amend section one (1) of an act, approved April 7, 1881, entitled, "An act to amend section one of an act entitled an act amendatory and supplemental to an act entitled an act providing for voluntary assignments of personal and real property in trust for the benefit of creditors and regulating the mode of administering the same, approved March 5, 1859, approved February 1, 1875," and to repeal section one (1) of an act approved February 17, 1893, entitled, "An act to amend section ten (10) of an act providing for voluntary assignments of personal and real prop-

erty in trust for the benefit of creditors and regulating the mode of administering the same, approved March 5, 1859," and being section 2908 of the Revised Statutes of 1894, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Schneck presented a petition from A. Graesse and others asking for the enactment of a law providing for scientific temperance instruction in the public schools.

Read and referred to the Committee on Temperance.

Senator Schneck presented a petition from V. S. Vogel and other voters of Jackson County, asking for the passage of House Bill No. 165, known as the Nicholson bill.

Read and referred to the Committee on Temperance.

Senator Baker, by request, introduced Senate Bill No. 325, entitled:

A bill for an act concerning street railroad companies constructing inter-urban and suburban street railroads, granting additional rights and powers therein specified and matters relating thereto, and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

Senator Barnes offered a petition from the citizens of North Vernon, Indiana, asking for the passage of a bill appropriating \$3,500 to the Commissioner of Fisheries.

Read and referred to the Committee on Federal Relations and Rights and Privileges.

Engrossed Senate Bill No. 84 was read the third time.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were :

Senators Alexander, Barnes, Beck, Bethell, Bird, Bozeman, Collett, Crumpacker, Duncan, Ellison, Gostlin, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McManus, Mull, Newby, O'Brien, Phares, Rinear, Schneck, Stuart, Sweeney, Vail, White. Total, 35.

Those voting in the negative were :

Senators Gifford, Parker and Seller. Total, 3.

So the bill passed.

The question being, Shall the title of the bill stand as the title to the act.

It was so ordered.

Senator Boyd by request introduced Senate Bill No. 326, entitled :

An act to amend an act entitled "An act to amend sections 15 and 16 of an act concerning inclosures, trespassing animals and partition fences, approved June 4, 1852, defining a lawful partition fence, being sections 4818 and 4849 of the Revised Statutes of 1881; providing for the building, rebuilding and maintaining and repairing thereof by the Trustee, and the assessment by said Trustee of an amount sufficient to make such fence lawful, and providing for the collection thereof and repealing all laws or parts of laws in conflict therewith, approved March 9, 1891," and declaring an emergency.

Read the first time and referred to the Committee on Agriculture.

Engrossed Senate Bill No. 100 was read the third time.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Bozeman, Collett, Crumpacker, Duncan, Ellison, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McKelvey, McLean, McManus, Mull, Newby,

O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Stuart, Sweeney, Watson, White. Total, 39.

Senator McHugh voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Substitute Senate Bill No. 118 was read the third time.

Senator Duncan moved that the bill be referred to the author for amendment.

Which motion prevailed.

Engrossed Senate Bill No. 53 was read the third time.

Senator Alexander moved to recommit the bill to the committee for amendment.

Which motion prevailed.

Senator Newby asked that Senator Boyd be excused from attendance until to-morrow.

The request was granted.

Engrossed Senate Bill No. 59 was read the third time.

The question being upon the passage of the bill.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Bozeman, Collett, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kerns of Vermillion, LaFollette, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Stuart, Vail, Watson, White. Total, 39.

None voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 128 was read the third time.

The question being upon the passage of the bill.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Collett, Cranor, Duncan, Ellison, Gifford, Gostlin, Haggard, Houghton, Humphreys, Johnston, Kerns of Vermillion, LaFollette, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Stuart, Vail, Watson, White, Wray. Total, 39.

None voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 238 was read the third time.

The question being upon the passage of the bill.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Baker, Barnes, Bird, Bozeman, Collett, Cranor, Crumpacker, Gostlin, Haggard, Holler, Houghton, Johnston, Kern, LaFollette, Leyden, McCutchan, McDonald, McHugh, McKelvey, McManus, Mull, Newby, Parker, Phares, Rinear, Schneck, Self, Seller, Stuart, Vail, Watson, White, Wray. Total, 33.

Those voting in the negative were :

Senators Alexander, Beck, Bethell, Humphreys, Kerns, O'Brien, Sweeney. Total, 7.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 54 was read the third time.

The question being, Shall the bill pass?

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Bethell, Bird, Collett, Cranor, Crumpacker, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermilion, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Stuart, Sweeney, Vail, Watson, White. Total, 37.

Those voting in the negative were :

Senator LaFollette. Total, 1.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 113 was read the third time.

On motion of Senator McLean, the bill was recommitted to a committee, consisting of Senator Seller, for amendment.

Senator Cranor made the following motion :

MR. PRESIDENT :

I move that the committee, to which Senate Bill No. 113 was referred for amendment, be instructed to further amend said bill by providing for the presence in the election room, during the election and count, of one representative from each political party, having a ticket at such election, and not otherwise represented on said board.

CRANOR.

Which motion prevailed.

The special committee, consisting of Senator Seller, made the following report :

MR. PRESIDENT :

Your committee of one, to which was referred Senate Bill No. 113 for amendment, begs leave to report that it has amended said bill under the instructions of the Senate as follows :

By striking out of said bill in lines 28 and 29 the words "election sheriffs and United States Supervisors if any be appointed," and by inserting in lieu thereof the words "watchers hereinafter provided for."

And by adding to the bill at the close thereof the following:

*Provided*, That when any political party or any number of citizens shall have nominated a ticket to be voted at any election to be held in this State, and shall have complied with all provisions of law entitled them, and to have all tickets placed upon printed ballots voted at such election, they shall also have the right to name one person of their own selection to be present with the Election Board during the count of ballots.

The persons appointed shall serve without compensation: they shall take an oath of secrecy required of the members of the Board with which they are appointed to serve. They shall have the right by protest to require the disputed ballots to be preserved, and shall have no voice in the decision of questions arising from the decision of such Board.

*Provided further*, The provisions of this act shall not extend to any political party which is entitled to representation upon such Board under existing laws.

SELLER.

Senator McLean moved that that part of the report of the special committee that provides for the presence of watchers from the minority parties, during the time ballots are received, be rejected.

Which motion prevailed.

Senator Newby moved to recommit to the Committee on Elections.

Which motion prevailed.



Senator McCord introduced Senate Bill No. 327, entitled :

An act to establish a State Library Board, providing for the administration of the State Library, the election of a State Librarian and the appointment of his assistants and prescribing their duties, repealing all laws now in force relative to the State Library, and declaring an emergency.

Read the first time and referred to the Committee on Public Buildings and State Library.

Engrossed Senate Bill No. 122 read the third time.

The question being upon the passage of the bill.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Collett, Cranor, Crumpacker, Ellison, Gifford, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Kinear, Schneck, Seller, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 37.

None voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Stuart, the Committee of One, to whom was referred Engrossed Senate Bill No. 116, made the following report :

MR. PRESIDENT :

Your Committee of One, to whom was referred Senate Bill No. 116, begs leave to report that he has had the same under consideration; and submits the accompanying substitute for said bill.

STUART.

The report of the committee was concurred in.

Senator Gifford moved to recommit the bill to the Committee on Judiciary.

Which motion prevailed.

Senator Sweeney, the Committee of One, to whom was referred Engrossed Substitute Senate Bill No. 118, made the following report:

MR. PRESIDENT:

Your committee, to whom was referred Engrossed Substitute Senate Bill No. 118, would report that the phrase "made before the commencement of the argument by counsel" should be stricken out, and the words "made before the introduction of any evidence be inserted in its stead."

SWEENEY.

Which report was concurred in.

Engrossed Substitute Senate Bill No. 118, as amended, was read the third time.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Barnes, Beck, Bethell, Bird, Boord, Bozeman, Collett, Cranor, Ellison, Gifford, Gostlin, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McHugh, McLean, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Stuart, Sweeney, Vail, White. Total, 34.

Those voting in the negative were:

Senators Boyd, McCord, McCutchan, Wray. Total, 4.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 2 was read the third time.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Barnes, Beck, Bethell, Bird, Boord, Boyd, Collett, Cranor, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Stuart, Sweeney, Vail, White. Total, 40.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 109 was read the third time.

Senator Seller moved to recommit the bill to the Committee on Education for amendment.

Which motion prevailed.

Engrossed Senate Bill No. 13 was read the third time.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Barnes, Beck, Bird, Ellison, Gifford, Houghton, Humphreys, Johnston, Kerns of Vermillion, LaFollette, Leyden, McCutchan, McDonald, McKelvey, McLean, McManus, Mull, O'Brien, Parker, Rinear, Stuart, Sweeney. Total, 23.

Those voting in the negative were:

Senators Baker, Bethell, Boord, Boyd, Cranor, Gostlin, Holler, McHugh, Newby, Phares, Schneck, Self, Vail, Watson, White. Total, 15.

So the bill failed to pass for the want of a constitutional majority.

Engrossed House Bill No. 184, together with the report of the committee thereon, was read a second time.

The report of the Committee was concurred in and the bill passed to the third reading.

Senator McLean presented a petition from the voters of Johnson County, Indiana, favoring the Nicholson bill.

Read and referred to the Committee on Temperance.

Senator McCutchan introduced Senate Bill No. 328, entitled :

A bill for an act to amend section one (1) of an act entitled, "An act concerning voluntary associations for the purpose of insuring farm property," the same being section 3774, R. S. of Indiana.

Read the first time and referred to the Committee on Judiciary.

Senate Bill No. 193 was read the second time.

Senator LaFollette offered the following amendment :

MR. PRESIDENT :

I move to amend Senate Bill No. 193 by inserting in line 10 of said bill immediately following the word "done," the following: "And there shall be taxed as cost in each case in which any short-hand reporter act the sum of fifty cents for each day said cause was on trial in said court, which costs when collected shall belong to the county and shall be used for the purpose of paying the short-hand reporter of such court."

LaFOLLETTE.

Senator Parker demanded the ayes and noes.

The roll being called, resulted as follows :

Those voting in the affirmative were :

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Crumpacker, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McKelvey, McManus, Mull, Newby, Phares, Schneck, Self, Vail, Watson. Total, 23.

Those voting in the negative were :

Senators Alexander, Barnes, Beck, Bird, Cranor, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, McDonald, McHugh, O'Brien, Parker, Rinear, Seller, Stuart, Wray. Total, 18.

So the amendment was adopted and the bill ordered engrossed.

Senate Bill No. 242 was read the second time and ordered engrossed.

Senate Bill No. 192 was read the second time and ordered engrossed.

Senate Bill No. 44 was read the second time and ordered engrossed.

Senate Bill No. 66 was read the second time and ordered engrossed.

Senate Bill No. 24 was read the second time.

Senator Ellison offered the following amendment:

MR. PRESIDENT:

I move to strike out section 2 of Senate Bill No. 24.

ELLISON.

Which amendment was adopted and the bill ordered engrossed.

Senate Bill No. 128 was read the second time and ordered engrossed.

Senate Bill No. 130 was read the second time.

Senator McCord moved to recommit the bill to the Committee on Banking.

Which motion prevailed.

Senate Bill No. 98 was read the second time and ordered engrossed.

Senate Bill No. 86 was read the second time.

Senator Seller moved to recommit the bill to the Committee on Elections.

Which motion prevailed.

Senate Bill No. 112 was read the second time and ordered engrossed.

Senate Bill No. 186 was read the second time and ordered engrossed.

Senate Bill No. 148 was read the second time and ordered engrossed.

Senate Bill No. 205 was read the second time and ordered engrossed.

Senator Gifford introduced Senate Bill No. 329, entitled :

A bill for an act amending section 7 of an act, entitled, "An act regulating the granting of divorces, nullifications of marriages, and decrees and orders of courts incident thereto, and repealing all laws conflicting with this act, and declaring an emergency," said section 7 being section 1081 of Revised Statutes of 1881, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator LaFollette introduced Senate Bill No. 330, entitled:

A bill for an act to give manufacturers and venders of drain tile a lien on lands improved thereby and defining the practice in relation thereto and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator McCord presented a petition from the citizens of Johnston County, asking for the enactment of a temperance educational law.

Read and referred to the Committee on Temperance.

Senator Leyden presented a petition from the citizens of Washington County, asking for the enactment of a temperance educational law.

Read and referred to the Committee on Temperance.

Senator McLean introduced Senate Bill No. 331, entitled:

A bill for an act to amend section 2 of an act entitled, "An act for the protection of discharged employes, and to prevent black-listing, approved March 9, 1889," and declaring an emergency.

Read the first time and referred to the Committee on Rights and Privileges.

Senator McManus offered the following resolution:

MR. PRESIDENT:

*Resolved*, That the Assistant Secretary of the Senate be directed to draw his warrant to Senator Silas B. McManus for the sum of fifty-five dollars, for expenses incurred by the committee in attending the funeral of the late Senator Thayer, as well as for the draping of his seat in the Senate.

S. B. McMANUS,  
Chairman.

Which resolution was adopted.

Senators Mull and Bozeman presented petitions, asking for the passage of House Bill No. 165, known as the Nicholson Bill.

Read and referred to the Committee on Temperance.

Senator O'Brien introduced Senate Bill No. 332, entitled :

A bill for an act to amend section three (3) of an act to regulate and license the sale of spiritous, vinous and malt and other intoxicating liquors, to limit the license fee to be charged by cities and towns, prescribing penalties for intoxication and providing for the recovering of damages for injuries growing out of the unlawful sales of intoxicating liquors, to repeal all former laws regulating the sale of intoxicating liquors, and all laws and parts of laws coming in conflict with the provisions of this act, and prescribing penalties for the violation thereof, and declaring an emergency, approved March 17, 1875. which section is numbered 5314 in code of 1881, and numbered 7278 in Burns' annotated statutes of 1894, and declaring an emergency.

Read the first time and referred to the Committee on Temperance.

Senator Parker introduced Senate Bill No. 333, entitled :

An act to provide for the appointment of commissioners for the promotion of uniformity of legislation in the United States, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Duncan introduced Senate Bill No. 334, entitled :

A bill for an act concerning licenses, fixing fees therefor, providing for the collection and application thereof, prescribing penalties for failure to pay the same, repealing all laws in conflict therewith and declaring an emergency.

Read the first time and referred to the Committee on Agriculture.

Senator Phares, by request, introduced Senate Bill No. 335, entitled :

A bill for an act providing for the trimming and cutting of hedge or live partition fences, and providing for its enforcement.

Read the first time and referred to the Committee on Agriculture.



Senator Phares introduced Senate Bill No. 386, entitled :

A bill for an act prescribing the duties of manufacturers and vendors of patent medicines and providing a penalty for its violation.

Read the first time and referred to the Committee on Judiciary.

Senator Schneck presented a petition from the voters of Lawrence County, Indiana, asking that the Nicholson Bill be passed.

Read and referred to the Committee on Temperance.

Senator Wray introduced Senate Bill No. 387, entitled :

A bill for an act to amend sections two (2), three (3) and five (5) of an act entitled "An act defining who are persons of unsound mind, and authorizing the appointment of guardians for such persons; defining the powers and duties of such guardians; declaring void the contracts of persons of unsound mind, and providing for their restraint when necessary," approved May 29, 1852, the same being sections 2545, 2546 and 2548 of the Revised Statutes of 1881, repealing all laws and parts of laws in conflict herewith, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator McDonald introduced Senate Bill No. 388, entitled :

An act to amend sections 46 and 61 of an act entitled "An act concerning proceedings in criminal cases," approved April 19, 1881, the same being sections 1619 and 1684 of the Revised Statutes of 1881.

Read the first time and referred to the Committee on Judiciary.

Senator McDonald introduced Senate Bill No. 339, entitled:

An act to amend section 1 of an act approved March 9, 1891, entitled an act to amend an act entitled an act to amend section 202 of an act entitled an act concerning public offenses and their punishment, approved April 14, 1891, being section 2110 of the Revised Statutes of 1881. Approved March 7, 1887.

Read the first time and referred to the Committee on Judiciary.

Senator McDonald introduced Senate Bill No. 340, entitled:

A bill for an act to amend an act entitled "An act to amend section two hundred and thirteen (213), and to repeal section two hundred and twelve (212) of an act entitled an act concerning public offenses and the punishment, approved April 14, 1881, the same being section 2122 and 2123 of the Revised Statutes of 1881."

Read the first time and referred to the Committee on Judiciary.

Senator Baker by request introduced Senate Bill No. 341, entitled:

A bill for an act to amend section one (1) of an act entitled an act for the relief of the poor, approved May 6, 1853, being section six thousand and sixty-six (6066) of the Revised Statutes of 1881, and providing relief for the poor by township trustees in certain cases.

Read the first time and referred to the Committee on County and Township Business.

Senate Bill No. 172 was read the second time and ordered engrossed.

Senator Ellison made the following report of the special committee on Senate Bill No. 56:

MR. PRESIDENT:

The undersigned members of the special committee, to which was referred Senate Bill No. 56, would respectfully submit the following bill as a substitute for said Senate Bill No. 56:

A bill for an act authorizing County Commissioners and the Common Councils of cities to donate money to humane societies for the enforcement of the law to prevent cruelty to children and animals in the several counties of this State.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* That in all counties where there has been or hereafter may be a society incorporated for the prevention of cruelty to children and animals under the several laws of this State, and such society shall show to the Board of Commissioners of such county that it is for the best interest of said county that such laws should be enforced in said county, and that such society has appointed a competent agent to enforce the same, that such Board of Commissioners may donate to such society such an amount of money, payable monthly, out of the general funds of the county as in their judgment they may consider right and proper: *Provided, however,* That the amount to be donated by said Commissioners in any one year shall not exceed one-third the amount that shall be donated to such society by the citizens of such county.

SEC. 2. *And be it further enacted,* That in all cities of this State where there has been, or may hereafter be, organized and incorporated a society for the prevention of cruelty to children and animals, under the laws of this State, and such society shall show to the Common Council of said city that it is for the best interests of said city that such laws should be enforced in said city and that such society has appointed a competent agent to enforce the same, that such Common Council may donate to such society such an amount of money, payable monthly, out of the general funds of such city as in their judgment they may consider right and proper: *Provided, however,* That the amount to be donated by said Common Council, in any one year, shall not exceed fifty per cent. of the amount that shall be donated to such society by the citizens of said city.

SEC. 3. That all societies receiving donations from counties or cities under the provisions of this act shall report to such county or city from which it received such donation what matters it investigated and acted upon during the year preceding: *Provided,* It shall not be required in such report to make public any facts that will reflect upon any person in those cases that

such society believes the best interests of society require that publicity should not be made thereof.

ELLISON,  
COLLETT,  
GEO. GIFFORD,  
C. HOLLER.

The report of the committee was concurred in, and the bill ordered printed.

Senator Boyd presented a petition from the citizens of Westfield and vicinity asking for the passage of House Bill No. 165, known as the Nicholson Bill.

Read and referred to the Committee on Temperance.

Senator LaFollette, by request, introduced Senate Bill No. 842, entitled:

An act to provide for the appointment of Commissioners to locate the important positions occupied by Indiana soldiers in and during the battles of Chickamauga, Lookout Mountain and Missionary Ridge, select and locate places for monuments to be erected as memorials for the respective organizations of Indiana soldiers who fought there, to procure and supervise the erection of such monuments upon the Chickamauga and Chattanooga National Military Park, to perform all other duties naturally incident and appertaining to such work; to make an appropriation therefor, and legalizing the action of the Governor in appointing said commission in advance of the passage of this act, and declaring an emergency.

Read the first time and referred to the Committee on Military Affairs.

Senator McCord introduced Senate Bill No. 848, entitled:

A bill for an act entitled an act concerning State banks, saving banks, private banks, companies authorized to do trust business, building and loan associations, and similar institutions, and for the appointment of bank commissioners and providing their duties and matters connected therewith, and declaring an emergency.

Read the first time and referred to the Committee on Corporations.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill, No. 289, introduced by Senator Parker, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred House Bill No. 110, introduced by Mr. McGeath, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 276, introduced by Senator LaFollette, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

The report was concurred in.

The Judiciary Committee made the following reports:

MR. PRESIDENT:

A majority of your Committee on Judiciary, to which was referred Senate Bill No. 55, introduced by Senator Self, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY.

Which report was concurred in.

The minority of the Judiciary Committee made the following report:

MR. PRESIDENT:

A minority of your Committee on Judiciary, to which was referred Senate Bill No. 55, introduced by Senator Self, begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

JNO. W. KERN,  
SAM'L PARKER.

Which report was concurred in.

Senator Kern moved that the bill with both reports be printed.

Which motion prevailed.

Senator Newby, Chairman of the Committee on Judiciary, made the following reports:

MR. PRESIDENT:

A majority of your Committee on Judiciary, to which was referred Senate Bill No. 246, introduced by Senator Newby, begs leave to report the same back to the Senate with a substitute therefor, with the recommendation that the substitute bill do pass.

L. P. NEWBY,  
Chairman.

Said substitute bill is as follows:

A bill for an act to amend sections 3 and 12 of an act of the General Assembly of the State of Indiana, entitled an act for the incorporations of building, loan fund and savings associations, which became a law by the lapse of time without the Governor's signature March 11, 1885, enacting certain provisions supplemental thereto, repealing all laws in conflict therewith, and prescribing penalties therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That section three (3) of the above entitled act shall be, and the same is hereby amended to read as follows:

**SEC. 3.** The corporation shall have the power and franchise of loaning or advancing to the stockholders thereof, at interest not exceeding the legal rate at the time, the moneys of the association accumulated from time to time, and the power and right to secure the payment of such money, the performance of other conditions upon which the loans are made, by note or bond or mortgage, or upon note or bond secured by stock of the association or personal security, as well as the power and right to purchase real estate where such purchase becomes necessary, for the protection of loans made by it thereon, to loan the moneys of the associations to others than its stockholders, at a rate of interest not exceeding the legal contract rate of interest, upon good and ample real estate or personal security, for the benefit of its stockholders where there is no demand for loans on the part of the stockholders. The premiums taken by such association for the preference or priority in procuring loans made to stockholders shall not be deemed usurious, and in case of non-payment of installments upon stock, or interest or premium by borrowing stockholders for three months, payment of principal, premium and interest (without deducting the premium or interest paid) may be enforced by proceedings on their securities according to law.

**SEC. 2.** That it shall be unlawful for any building, loan fund and savings association to take any portion of the monthly dues for the payment of the expense of conducting the business of such associations. That the expense of conducting the business of said association shall be paid out of the profits derived from the business, and that such expenses for one year shall not exceed a sum equal to five (5) per cent. of the sum collected from installments of dues upon the stock of such association during such year.

**SEC. 3.** That such corporation shall have power to provide in their laws for the charge and collection of fines and penalties from delinquent stockholders for non-payment of installment of dues, interest, premiums and charges; also to provide in their by-laws for the forfeiture of all the rights and immunities in the association of such delinquent members after a default of three months to pay installment of dues, interest, premiums, charges of fines, and also to provide in case of a borrower of money from such association shall fail and neglect

to pay his installment of dues, fines, charges, interests or premiums for a period of three months from the time the same shall become due and payable, and such failure and neglect shall work a forfeiture of all his rights and immunities, and the whole sum loaned to him by such association shall, at its option, become immediately due and payable, and may be collected, together with all fines, installments of dues, interests and premiums, if any, when paid: *Provided*, That this act shall only apply to loans made after it is in force.

SEC. 4. It shall be unlawful for building, loan fund and savings associations, loaning money in this State, to charge interest thereon at a rate exceeding 6 per cent. per annum, to which may be added premium, at a rate per cent. not exceeding two (2) per cent. per annum. They may require the payment of said interest and premium at stated times in weekly, bi-weekly or monthly installments, to be fixed by their by-laws. Any interest or premium charged or contracted for in excess of the foregoing rate shall be usurious and illegal: *Provided*, That the provisions of this section shall apply only to loans made after it is in force.

SEC. 5. That the prepaid stock or paid-up stock in building, loan fund and savings associations shall be subject to taxation; that it shall be unlawful for any building, loan fund and saving association to pay more than six (6) per cent. interest per annum upon any prepaid or paid-up stock in any such association.

SEC. 7. No building, loan fund and saving association shall loan an amount exceeding sixty (60) per cent of the appraised value of the real estate offered as security. Said appraisalment shall be made under oath by at least two (2) resident freeholders of the county where the land is situate.

SEC. 8. It shall be the duty of every building, loan fund and savings association doing business in the State of Indiana to file in the office of the Auditor of the State, between the first and fifth days of July in each year, a statement certified by the oath of its president and secretary, showing the entire amount received by said company during the preceding year ending on the 30th day of June thereof. It shall also include the initiation fees and fines, if any, collected by the said association,



together with the itemized statement showing how the same has been expended or disposed of, and said report shall specifically set out under the head of "Expense Account" all expenses incurred or paid by said company during said year, showing the amount paid as salaries, rents and other expenses:

*Provided*, That if this act does not take effect until after June 1, 1895, the first of said statements shall be filed within 30 days after the same takes effect.

SEC. 9. Any person or officer of a building, loan fund and savings association violating any of the provisions of this act will be guilty of a misdemeanor, and, upon conviction thereof, shall be fined in an amount not exceeding two hundred (\$200) dollars.

SEC. 10. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

MR. PRESIDENT:

A minority of your Committee on Judiciary, to which was referred Senate Bill No. 246, begs leave to report the same back to the Senate with the recommendation that said bill, together with the substitute therefor, be indefinitely postponed.

L. W. VAIL.

Senator Vail moved to refer the bill, with the reports thereon, to the Committee on Corporations.

Which motion was lost.

Senator Vail moved that the bill, with the reports thereon, be printed.

Which motion prevailed.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 18, introduced by Senator L. P. Newby, begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

**MR. PRESIDENT :**

Your Committee on Judiciary, to which was referred Senate Bill No. 318, introduced by Senator Vail, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

**MR. PRESIDENT :**

Your Committee on Judiciary, to which was referred Senate Bill No. 280, introduced by Senator Watson, begs leave to report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report :

**MR. PRESIDENT :**

Your Committee on Education, to which was referred Senate Bill No. 292, introduced by Senator Haggard, would report that section one be stricken out, and that, in lieu thereof, the following be inserted :

**SECTION 1.** *Be it enacted by the General Assembly of the State of Indiana,* That section one of said act be, and the same is hereby, amended so as to read as follows :

Section 1. On the first day of July, 1895, it shall be the duty of the Governor of this State to appoint nine Trustees for the Purdue University, two of whom shall be nominated by the State Board of Agriculture, one by the State Board of Horticulture, and six selected by the Governor himself: *Provided*, That no more than two of such Trustees shall be appointed from any one Congressional District: *And, also, provided*, That the first Board so appointed shall include the three persons who, at that time, are the last nominees of the State Board of Agriculture and State Board of Horticulture: *And, also, provided*, That the Board of Trustees now in office shall remain in office, and perform all the duties thereof, as now required by law, until their successors are duly appointed and qualified, as provided in this act.

And that, when so amended, the same do pass.

W. C. DUNCAN,  
Chairman.

The report was concurred in.

Senator Phares, Chairman of the Committee on Organization of Courts, made the following report:

MR. PRESIDENT:

Your Committee on Organization of Courts, to which was referred Senate Bill No. 95, introduced by Senator Baker, begs leave to report to the Senate that it has given careful consideration to said bill and also to Senate Bill No. 162, introduced by Senator O'Brien, and now begs leave to report the sub-joined bill as a substitute for each and both said bills referred to your committee, and recommends that said substitute do pass.

PHARES,  
Chairman.

Substitute for Senate Bill No. 95:

A bill for an act to establish a Superior Court in and for the district composed of the counties of Grant and Howard, defining its authority and jurisdiction, providing for appointment, election and compensation of the Judge thereof, and providing for a vacancy in the office of Judge of said Court, and declaring an emergency.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Indiana,* That there shall be and hereby is established a Superior Court in and for the district composed of the counties of Grant and Howard, which shall consist of one Judge, who shall hold his office for four years, and until his successor shall have been elected and qualified, if he shall so long behave well; said Judge shall be elected at the general election, next after the taking effect of this act. Said Court shall be styled — Superior Court, according to the county in which said Court may be held.

**SEC. 2.** Said Court in each county shall have a seal, a description of which, signed by the Judge devising the same, shall be filed by the Clerk and recorded in the order book of said Court.

**SEC. 3.** The Clerks of the Circuit Courts of and the Sheriffs of said counties shall be each respectively the Clerks and Sheriffs of said Court in their respective counties, and for their services they shall be entitled to such fees as are, or may be, allowed by law in the Circuit Court for such service.

**SEC. 4.** The Clerks and Sheriffs shall attend said court in their respective counties, and discharge all the duties pertaining to their respective offices as they are now, or may be required to do by law in the Circuit Court, and all law now in force, or which may be enacted prescribing the duties and liabilities of such officers and the mode of proceedings against them, or either of them, for neglect of official duty, allowing fees and providing for the collection thereof in the Circuit Court, shall be held and deemed to extend to said Superior Court so far as they apply.

**SEC. 5.** The said court shall hold its sessions at the court houses of the respective counties, or at such other convenient places at the county seats as the Board of County Commissioners of the respective counties, or Judge of said court may provide.

**SEC. 6.** The terms of said court shall be as follows, to wit: In the county of Howard commencing on the first Monday of February, fourth Monday of April, first Monday of September and third Monday of November, and continuing five weeks, if the business thereof shall require it; and in the county of

Grant there shall be four terms of court in each year, commencing on the Mondays succeeding the terms of said court in Howard County, and each term shall continue for six weeks, if the business thereof requires it.

SEC. 7. The Judge of said court may adjourn the same at any day previous to the expiration of the term for which it may be held; also, from any day in the term over to any other day in the same term, if in his opinion the business of the court will permit thereof.

SEC. 8 Whenever a trial is begun and is in progress at the time when, by law, the term of such court would expire, the term shall be extended until the close of the trial.

SEC. 9. In case such court shall not be formed at any time or any term shall be interrupted by reason of the non-attendance of the Judge thereof, it shall be lawful to appoint a Judge to preside in his stead, or to adjourn the court in manner as provided by the laws applicable to circuit courts in such cases.

SEC. 10. Said Court, within and for said counties, shall have original and concurrent jurisdiction with the Circuit Court in all civil cases, and jurisdiction concurrent with the Circuit Court in all cases of appeal from justices of the peace, boards of Commissioners and mayors or city courts in civil cases, and all other appellate jurisdiction in civil causes now vested in or which may hereafter be vested by law in the circuit courts; and said Court shall also have concurrent jurisdiction in all actions by or against executors, guardians or administrators, except claims against estates: *Provided, however,* That said Superior Court hereby constituted shall not have jurisdiction in matters of probate or the settlement of decedents' estates, but the same shall be and remain within the jurisdiction of the Circuit Court, as now provided by law.

SEC. 11. The process of said Court shall have the seal affixed, directed, served and returned, and be in form as is, or may be, provided for process issuing from the Circuit Court.

SEC. 12. Said court shall be a court of record and of general jurisdiction at law and equity, and its judgments, decrees, orders and proceedings shall have the same force and effect as those of the Circuit Court, and shall be entered in the same

manner. The pleadings and practice in said court shall be governed by the statutes regulating pleadings and practice in the Circuit Court.

SEC. 13. The said court, or the Judge thereof in vacation, shall have power to issue and direct all process to courts of inferior jurisdiction and to corporations and individuals which shall be necessary in exercising the jurisdiction hereby conferred, and for the regular execution of the law, and to make all proper judgments, sentences, decrees, orders and injunctions, and to issue all process and executions, and to do all such other acts as may be necessary to carry into effect the same in conformity to the laws of this State.

SEC. 14. The Judge of said court shall have the same power in term time, or in vacation, to grant restraining orders, injunctions and writs of *ne exeat*, to issue writs of *habeas corpus* and of mandate and prohibition, to appoint receivers, master commissioners and commissioners to convey real property, and to grant commissions for the examination of witnesses, and to appoint other officers necessary to facilitate and transact the business of said court, as is now or may hereafter be conferred on Circuit Courts or the Judge thereof.

SEC. 15. The Judge of said court shall have full power and authority to make and adopt rules and regulations for conducting the business of the Court, not repugnant to the laws of this State, and shall have all the power incident to a court of record in relation to the attendance of witnesses, the punishment of contempts and enforcing its orders; and the Judge of said Court shall have full authority to administer oaths, take and certify acknowledgments of deeds, and to give all necessary certificates for the authentication of the records and proceedings in said Court.

SEC. 16. If the Judge of said Court shall be interested, or in the progress of the cause shall become interested in the event of any action or matter pending in said Court, the same shall be removed for hearing and determination to the Circuit Court of the county in which said action is pending.

SEC. 17. Whenever an affidavit for a change of venue is filed in said Court, for any of the causes embraced in the first, second, sixth or seventh specifications of section 255 of an act

concerning proceedings in civil cases, approved April 7, 1881, Acts 1881, page 240, some Judge of a Circuit or Superior Court, or a competent attorney at law, shall be called to hear and determine the same as provided by law for changes of venue in causes pending in the Circuit Court, or said cause may be certified to the Circuit Court of the county in the discretion of such Judge of the Superior Court, and the original papers shall be transferred to such Circuit Court, and no transcript shall be necessary, and such Circuit Court shall have jurisdiction to hear and determine the cause and render judgment therein; and if causes alleged in the affidavit are embraced in the third, fourth or fifth specifications of said section 255, then the change shall be granted and the cause directed to the Circuit Court or Superior Court of some other county, as provided in cases on changes of venue from the Circuit Court and the Court to which the case is sent shall have jurisdiction to hear and determine the cause and render judgment therein.

SEC. 18. The Clerk, under the direction of the Judge, shall provide for said court order books, judgment dockets, fee books, and such other books as may be necessary, and all the books, papers and proceedings of said court shall be kept distinct and separate from those of other courts.

SEC. 19. The same docket fees shall be taxed in the said court as are now, or may be provided by law to be taxed in the Circuit Court, and said fees, when collected, shall be paid by the Clerk or Sheriff to the Treasurer of the county, to be applied in reimbursing the county for expenses of said court.

SEC. 20. Within a period of not more than one week before the commencement of any term of said court, the Clerk of said court and Jury Commissioners appointed by the Judge of the Circuit Court of said county as provided by law, shall proceed to select a petit jury, in the manner as is now provided by law, to serve at the next ensuing term of said court, and said officers, in selecting, and the Clerk, in issuing process for said jury, and the Sheriff in serving the same, shall in all things be governed by the rules and regulations prescribed for the selection of petit jurors in the Circuit Court: *Provided*, That said Court may order on what day of the term said jurors shall be summoned to attend said court. The Judge of

said court may order the selecting and summoning of other jurors for said court whenever the same may be necessary.

SEC. 21. Jurors and witnesses in attendance upon such court shall receive the same fees now provided by law for jurors and witnesses in the Circuit Court.

SEC. 22. In all cases where, under existing or future laws of this State, a person has the right of appeal from the Circuit Court, or the Judge thereof in vacation, to the Appellate Court or Supreme Court, an appeal may be had from said Superior Court or the Judge thereof in vacation.

SEC. 23. The Judge of said court shall receive the same salary as is now or may hereafter be provided by law to be paid to a Judge of a Superior Court, which salary shall be paid at the same time and in the same manner as Judges of Superior Courts are now paid.

SEC. 24. It is hereby declared that on the taking effect of this act there is a vacancy in the office of Judge of said Superior Court, and the Governor shall fill said vacancy by appointment, and the person so appointed shall hold his office until the next general election, and until his successor is elected and qualified.

SEC. 25. In order to relieve the present dockets of the Circuit Courts of Grant and Howard counties the said Circuit Courts shall, by an order entered upon their respective records, transfer to the docket of the said Superior Court one-half of the cases now pending in said Grant Circuit Court and said Howard Circuit Court, taking them alternately as they now are on the dockets of said Circuit Courts, sending only such cases as come within the jurisdiction of said Superior Court as hereinbefore defined. The Clerk shall send all the original papers in such cases, and shall not make any transfer of the proceedings had in said Circuit Courts, and said Superior Court shall have the same jurisdiction to try and determine said causes and render judgments therein as though they had been originally commenced in said Superior Court.

SEC. 26. Whenever, in either of said counties, any cause shall have been transferred from the Circuit Court to the Superior Court of such county, or from the Superior Court to the Circuit Court of such county, under the provisions of this



act, and without a transcript having been made, and such cause shall be taken on a change of venue to the court of another county, or if such cause shall be appealed to the Appellate Court or to the Supreme Court of the State from the Circuit Court or the Superior Court of either of said counties, then, and in either such event, the party so procuring such change of venue, or such appeal, may have a transcript made of the proceedings in each of said courts, and certified by the Clerk of said courts respectively, and such transcripts so made shall have the same force and effect, and give the court to which they are taken on change of venue or appeal the same jurisdiction as though such transcripts had been originally made when such causes were transferred from one court to the other.

SEC. 27. All cases on trial or in which the evidence has been submitted at the time of the taking effect of this act shall not be transferred under the provisions of section twenty-five of this act, but the courts in which such trial is in progress are authorized to conduct the same to final judgment, and approve and sign bills of exceptions therein.

SEC. 28. Whereas, an emergency exists for the immediate taking effect of this act, it shall therefore take effect and be in force from and after its passage.

Which report was concurred in.

Senator Boord, Chairman of the Committee on Corporations, made the following report:

MR. PRESIDENT:

Your Committee on Corporations, to which was referred Engrossed House Bill No. 61, introduced by Mr. Holloway, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

BOORD,  
Chairman.

Which report was concurred in.

Senator McCutchan moved to withdraw Senate Bill No. 8 from the committee.

Which motion prevailed.

Senator Kerns, Chairman of the Committee on Roads, made the following report:

MR. PRESIDENT:

Your Committee on Roads, to which was referred Senate Bill No. 285, introduced by said Senator Humphreys, begs leave to report that said bill be so amended so as to read thirty-three feet wide, and when so amended that said bill do pass.

W. F. KERNS,  
Chairman.

Which report was concurred in.

Senator Kerns, Chairman of the Committee on Roads, made the following report:

MR. PRESIDENT:

Your Committee on Roads, to which was referred Senate Bill No. 281, introduced by Senator Crumacker, begs leave to report that said bill do pass.

W. F. KERNS,  
Chairman.

Which report was concurred in.

Senator Kerns, Chairman of the Committee on Roads, made the following report:

MR. PRESIDENT:

Your Committee on Roads, to which was referred Senate Bill No. 296, introduced by Senator Phares, begs leave to report the same back to the Senate with the recommendation that the further consideration of the bill be indefinitely postponed.

W. F. KERNS,  
Chairman.

The report was concurred in.

Senator Holler, Chairman of the Committee on Agriculture, made the following report :

MR. PRESIDENT :

Your Committee on Agriculture, to which was referred Senate Bill No. 262, introduced by Senator Wishard, has had the same under consideration, and recommends that the bill do pass.

C. HOLLER,  
Chairman.

The report was concurred in.

On motion of Senator Wray the Senate adjourned.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.

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## THURSDAY MORNING.

FEBRUARY 7, 1895.

The Senate met pursuant to adjournment with the Lieutenant Governor in the chair.

Rev. W. A. Hendrickson, of the Presbyterian Church, offered prayer.

After the reading of a portion of the Journal, on motion of Senator Baker, the further reading of the same was dispensed with.

Senator Seller introduced Senate Bill No. 344, entitled :

A bill for an act providing for a right of and a method for testing the validity of statutes and ordinances enacted and ordained in this State, and other matters connected therewith.

Read the first time and referred to the Committee on Judiciary.

Senator O'Brien introduced Senate Bill No. 845, entitled :

A bill for an act fixing the compensation and prescribing the duties of certain State and county officers, and providing penalties for the violations of its provisions.

Read the first time and referred to the Committee on Fees and Salaries.

Senator Crumpacker offered Senate Concurrent Resolution No. 17, as follows :

MR. PRESIDENT :

I offer the following resolution, and move its adoption :

*Be it resolved by the Senate of the State of Indiana, the House concurring, That the State Librarian is hereby authorized and directed to turn over to the President of the Veterans' Association, 15th Indiana Volunteers, a certain battle flag. Said flag being the private property of said regiment, having been presented to them by private individuals. A statement of the facts being filed herewith and made a part of this resolution.*

CRUMPACKER.

Senator Crumpacker also submitted a communication from L. J. Bryant, President of the Veterans' Association, 15th Indiana Volunteers, bearing on the subject.

Received and read for the information of the Senate.

The resolution was adopted.

Senator Crumpacker introduced Senate Bill No. 846, entitled :

An act legalizing plats of additions to Cities and Towns and of subdivisions of sections.

Read the first time and referred to the Committee on Cities and Towns.

Senator Crumpacker introduced Senate Bill No. 347, entitled:

An act regulating the powers and duties of Township Trustees, and declaring an emergency.

Read the first time and referred to the Committee on County and Township Business.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 807, introduced by Senator Cranor, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 305, introduced by Senator Boyd, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator O'Brien introduced Senate Bill No. 845, entitled :

A bill for an act fixing the compensation and prescribing the duties of certain State and county officers, and providing penalties for the violations of its provisions.

Read the first time and referred to the Committee on Fees and Salaries.

Senator Crumpacker offered Senate Concurrent Resolution No. 17, as follows:

MR. PRESIDENT:

I offer the following resolution, and move its adoption :

*Be it resolved by the Senate of the State of Indiana, the House concurring,* That the State Librarian is hereby authorized and directed to turn over to the President of the Veterans' Association, 15th Indiana Volunteers, a certain battle flag. Said flag being the private property of said regiment, having been presented to them by private individuals. A statement of the facts being filed herewith and made a part of this resolution.

CRUMPACKER.

Senator Crumpacker also submitted a communication from L. J. Bryant, President of the Veterans' Association, 15th Indiana Volunteers, bearing on the subject.

Received and read for the information of the Senate.

The resolution was adopted.

Senator Crumpacker introduced Senate Bill No. 846, entitled :

An act legalizing plats of additions to Cities and Towns and of subdivisions of sections.

Read the first time and referred to the Committee on Cities and Towns.

Senator Crumpacker introduced Senate Bill No. 347, entitled:

An act regulating the powers and duties of Township Trustees, and declaring an emergency.

Read the first time and referred to the Committee on County and Township Business.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 307, introduced by Senator Cranor, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 305, introduced by Senator Boyd, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

**MR. PRESIDENT :**

Your Committee on Judiciary, to which was referred Senate Bill No. 227, introduced by Senator Phares, begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, submitted the following report :

**MR. PRESIDENT :**

Your Committee on Judiciary, to which was referred Senate Bill No. 199, introduced by Senator Kern, begs leave to report the same back to the Senate, with the recommendation that the further consideration of the same be indefinitely postponed.

L. P. NEWBY,  
Chairman.

The report of the committee was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

**MR. PRESIDENT :**

Your Committee on Judiciary, to which was referred Senate Bill No. 274, introduced by Senator Kerns, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.



Senator Newby, Chairman of the Committee on Judiciary, submitted the following reports:

**MR. PRESIDENT:**

A majority of your Committee on Judiciary, to which was referred Senate Bill No. 261, introduced by Senator Sweeney, begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

**MR. PRESIDENT:**

A minority of your Committee on Judiciary, to which was referred Senate Bill No. 261, introduced by Senator Sweeney, respectfully recommend that the same do pass.

JOHN W. KERN.

Senator Sehneck moved that the bill, with both reports, be printed.

Which motion prevailed.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

**MR. PRESIDENT:**

Your Committee on Judiciary, to which was referred House Bill No. 107, introduced by Mr. Robinson, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 293, introduced by Senator Mull, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Kerns, Chairman of the Committee on Roads, made the following report :

MR. PRESIDENT :

Your Committee on Roads, to which was referred House Bill No. 66, introduced by Representative A. P. Hunt, begs leave to report the same back, with the recommendation that the bill do pass.

W. F. KERNS,  
Chairman.

The report was concurred in.

Senator Boyd offered the following resolution :

MR. PRESIDENT :

I desire to introduce the following preamble and resolution :

WHEREAS, Alexander Johnson, Superintendent of the Institution for Feeble-Minded, at the city of Ft. Wayne, has been charged with sending Dan. Luceman back to the County Poor Farm because his wife, Mrs. Johnson, was afraid of him.

2. That there is gambling and card playing in the Institution.

3. That Jack Frost, a feeble-minded boy, was unmercifully punished by said Superintendent, knocked down, kicked and made wet with a hose, and afterwards three months in the hospital from said ill treatment.

4. That Nellie May, a feeble-minded child, was slapped and kicked.

5. That said Superintendent is guilty of improper burials of the deceased wards of said institution.

6. That boys who are guilty of running away from the Institution were brought back and sand-bags weighing 25 pounds were hung to their necks, and they were made to walk from one to three days, carrying these, by Superintendent Johnson.

7. That the Superintendent charged caused feeble-minded boys and girls, in ill health, to run bare-footed in such Institution at improper seasons of the year.

8. Superintendent Johnson caused the children of his Institution to eat hot molasses and mush until they were all badly run down with chronic diarrhoea, and the attendants were compelled to keep them a good portion of the time in the bath tub, on the account of their filthy and wretched condition.

9. That said Superintendent Johnson permitted wormy cereals and prunes used in the institution for food for the feeble-minded, and when the Matron called his attention to it she received the answer from said Johnson, "What can we do?"

10. When said Superintendent Johnson's children had scarlet fever they were isolated in the administration building, and while convalescent were allowed to play with children of the institution, and in this way caused the contagion or epidemic of said fever.

11. That fly-netting was brought out and used on the children, and allowed by Superintendent Johnson, from which thirteen new cases of scarlet fever developed and one death.

12. That Superintendent Johnson negligently permitted roach poison to be variously distributed in the institution to the detriment, ill health and poisoning of the feeble-minded children who are wards of the said institution.

13. That said Superintendent Johnson has so far forgot the decent proprieties of a great institution like the institution for feeble-minded at Fort Wayne, Indiana, as to call his Matron a liar, and abuse her most shamefully by his ungentlemanly talk.

14. That he allowed men who were in the employ of the State and directed them to go to the polls on election day for the purpose of acting as challengers, and in other capacities, for the Democratic party.

15. That said Superintendent Alexander Johnson is wholly and totally incompetent, on the account of being erratic and having a violent temper, to govern said Feeble-Minded Institution.

16. That charges of various kinds have already been submitted to your Committee on Benevolent Institutions from business men, merchants and men engaged in the wholesale business concerning the conduct of Superintendent Johnson in the settlement of goods bought for said institution.

17. The highest and the most respectable and learned testimony that your committee has been able to procure, in the most unqualified manner has declared that for feeble-minded children, diseased in almost every conceivable manner, and who are sent to the institution, in most instances, for the purpose of improving their health, physical and mental conditions should be cared for by a graduate of a medical college, and that Superintendent Johnson is in no way connected with the medical fraternity; therefore, be it

*Resolved*, That this Senate authorize the Committee on Benevolent Institutions to thoroughly and completely investigate the charges above enumerated, and authorize such committee to examine books, papers, letters, witnesses, and give them power to subpoena or summon witnesses, meet and adjourn upon their own motions until a thorough and perfect investigation is had, and report to this Senate by Monday, February—1895.

Respectfully submitted,

THOMAS E. BOYD,

Chairman Committee on Benevolent Institutions.

Senator Ellison made the following motion :

I move as a substitute to the resolution, that a special committee of five Senators be appointed to investigate the conduct of the Superintendent of the Institution for Feeble-Minded Children at Fort Wayne, Indiana.

ELLISON.

The question being upon the adoption of the substitute resolution.

Senators Wishard and Cranor demanded the ayes and noes.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Barnes, Bird, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, McDonald, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Sweeney. Total, 16.

Those voting in the negative were :

Senators Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumphaek, Gostlin, Holler, Houghton, Kerns of Vermillion, LaFollette, McCutchan, McManus, Mull, Newby, O'Brien, Phares, Schneck, Self, Vail, Watson, White, Wishard. Total, 24.

So the substitute resolution was lost.

The resolution offered by Senator Boyd was then adopted.

Senate Bill No. 119, which was made a special order for to-day, was now taken up.

The Committee on Judiciary made the following report :

MR. PRESIDENT :

A majority of your Committee on Judiciary, to which was referred Senate Bill No. 119, introduced by Senator Watson, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
L. W. VAIL,  
O. N. CRANOR,  
J. J. M. LAFOLLETTE.

MR. PRESIDENT :

A minority of you Committee on Judiciary, to which was referred Senate Bill No. 119, introduced by Senator Watson, begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

JOHN W. KERN,  
SAM'L PARKER.

The question being, Shall the minority report be adopted ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Barnes, Bird, Gifford, Humphreys, Johnston, Kern of Marion, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, O'Brien, Parker, Rinear, Stuart, Sweeney. Total, 18.

Those voting in the negative were :

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Ellison, Gostlin, Haggard, Houghton, Kerns of Vermillion, LaFollette, McCord, Mull, Newby, Phares, Schneck, Self, Seller, Vail, Watson, White, Wishard. Total, 25.

So the minority report was lost.

And the majority report was adopted.

The Foust-Rinear election case, which was made a special order for to-day, was now taken up.

The committee made the following report :

ADAM FOUST,	}	IN THE SENATE OF THE STATE OF INDIANA.
Contestor,		
vs.		
JOHN W. RINEAR,		
Contestee.		

MR. PRESIDENT :

Your Committee on Elections, to whom was referred the contested election case of Adam Foust vs. John W. Rinear, submits the following report :

*First.* We find from the evidence that at the general election held on the 6th day of November, 1894, the contestant, Adam Foust, was the candidate on the Republican ticket for the office of Joint Senator from the counties of Huntington and Wells ; that contestee, John W. Rinear, was the candidate on the Democratic ticket at said election for said office from said counties ; that Martin Baker and Crate Pavy were candidates

on the Prohibition and Populist tickets, respectively, for said office at said election; that at said election the said John W. Rinear on the face of the returns received 5,714 votes; that said Adam Foust on the returns received 5,656 votes; that Martin Baker received 385 votes, and that Crate Pavy received 433 votes, showing a plurality on the face of the returns in favor of the contestee of 58 votes.

Your committee further finds from the evidence that there should be counted for contestor Adam Foust, in addition to the votes shown to have been received by him on the face of the returns thirty-seven (37) votes, making a total of 5,693, which, deducted from 5,714, the total vote received by Contestee Rinear, leaves him a plurality of twenty-one votes.

*Second.* That the polls in the east and west precincts of Jackson Township in Wells County were not opened until near ten o'clock. The failure to open the polls before this time was partially on account of negligence and partially on account of ignorance of the inspectors of such precincts. The evidence shows a careless indifference on the part of these election officers in said precincts which is reprehensible, and their action in failing to open the polls at the hour prescribed by law is condemned as unworthy of men holding such positions. But it is not shown that any person was prevented from voting on account of such action, or that any person who went to the polls for that purpose left without casting his vote. In these precincts the contestee (Rinear) received a plurality of 52 votes.

The evidence also shows that in the east precinct of said Jackson Township in Wells County, the tally sheets and poll books were sealed in a paper bag having a slit therein about five inches in length; but the evidence fails to disclose any change of the returns.

Your committee is, therefore, of opinion that said precincts should not be thrown out and disregarded.

*Third.* The evidence shows that the Superintendent of the Poor Asylum of Huntington County exercised more diligence in seeing that the inmates got to the polls than his duties required, but does not disclose that he compelled them to vote any one ticket.

*Fourth.* Some insane persons in each of said counties were permitted to vote. Such votes have been excluded by your committee and considered in the additional vote credited herein to contestor.

The evidence also shows that in the second precinct of Salamonina Township, Huntington County, that the Democratic Judge and the Republican Clerk exchanged places, and each discharged the other's duties on said board, though neither of said persons was sworn to faithfully discharge the particular duties which he performed, and which each party did, in violation of law in such cases made and provided.

Said precinct gave the contestor 42 plurality, yet we do not find that any fraud was perpetrated at said precinct, but that all votes were counted as cast. But we can not pass such irregularity unnoticed, and therefore disapprove such action and irregularity on the part of said board, and only refer to it, trusting that its recurrence may be guarded against in future elections.

Your committee is therefore of opinion from the evidence that contestor was not elected to the office of Joint Senator from the counties of Huntington and Wells, but that contestee was elected to said office, and recommend the passage of the following resolution :

*Resolved,* That John W. Rinear was duly elected as Joint Senator for the Senatorial District composed of the counties of Huntington and Wells.

H. Q. HOUGHTON,  
Chairman.

The report was concurred in.

President Nye announced the following message from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Concurrent Resolutions Nos. 3 and 6, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.



## House Concurrent Resolution No. 8:

*Be it resolved by the House of Representatives, the Senate concurring,* That it is the desire of the House and Senate to meet in joint session at noon, Tuesday, February 12, 1895, in the Chamber of the House of Representatives for the purpose of then and there electing a State Librarian to succeed the present incumbent of said office. And both houses do hereby fix said time and place for such election.

PETTIT.

The resolution was adopted.

## House Concurrent Resolution No. 6:

*Resolved,* That the Senate and House Committees on Benevolent and Scientific Institutions, with the concurrence of the Senate and House, are hereby directed to make a thorough investigation of the management, condition and expenditures of the Southern Indiana Hospital for the Insane, located at the city of Evansville, Indiana, and that they are hereby empowered to employ a competent accountant to assist in said investigation, and that their conclusions shall be reported to the Senate and the House during the present session of the General Assembly.

CHAS. F. REMY.

The resolution was adopted.

On motion of Senator McCutchan the Senate adjourned.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant-Secretary of the Senate.

## FRIDAY MORNING.

FEBRUARY 8, 1895.

The Senate met at 10 o'clock with Lieutenant-Governor Nye in the chair.

After a portion of the Journal had been read, on motion of Senator Crumpacker, the further reading of the same was dispensed with.

Senator Collett, Chairman of the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

Your Committee on County and Township Business, to which was referred Senate Bill No. 15, introduced by Senator Duncan, begs leave to report the same back to the Senate, with the recommendation that section 1 be amended to read as follows :

*Be it enacted by the General Assembly of the State of Indiana, That the Auditor of Bartholomew County be, and he is hereby directed to refund to the said Joel S. Davis the said sum of nine hundred and eighty-nine dollars and two cents (\$989.02), and for that purpose the said Auditor shall issue and draw his warrant in favor of the said Joel S. Davis on the same fund to which said damages were credited, for said principal sum of nine hundred and eighty-nine dollars and two cents (\$989.02), and the Treasurer of said county shall pay said warrant and charge the amount thereof to the fund to which said damages were credited on his books, and when so amended that said bill do pass.*

M. W. COLLETT,  
Chairman.

Which report was concurred in.

Senator Collett, Chairman of the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

Your Committee on County and Township Business, to which was referred Senate Bill No. 97, introduced by Senator Barnes, has had the same under consideration, and would recommend that section one (1) be amended by adding after the word "stability" in line fifteen the following, viz.:

"The distance between such indices to be a certain multiple, or a certain multiple and decimal or decimals of a chain."

And that section two (2) be amended by adding after the word "dollar" in line nine (9) the following, viz.:

*"Provided, After such meridian shall have been established and a record made as hereinafter provided it shall be the duty of such County Surveyors or other person doing like work before running any line or establishing any corner on lands within his county, and as often as once each year thereafter, to correct his compass by turning off the variation of same to agree with said established meridian.*

*"And also to test and correct his chain by such indices on said standard meridian marks as often as may be necessary to maintain uniformity in length of said chain."*

And that when so amended that the bill do pass.

M. W. COLLETT,  
Chairman.

The report was concurred in.

Senator Collett, Chairman of the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

Your Committee on County and Township Business, to which was referred Senate Bill No. 108, introduced by Senator McKelvey, begs leave to report the same back to the Senate, with the recommendation that the bill be indefinitely postponed.

M. W. COLLETT,  
Chairman.

Which report was concurred in.

Senator Collett, Chairman of the Special Committee, to which was referred Senate Bill No. 186, made the following report :

MR. PRESIDENT :

Your Special Committee, to which was referred Senate Bill No. 186 as to its form and phraseology, would report that it is now correct, and should pass.

M. W. COLLETT,  
ELLISON.

Which report was concurred in.

Senator Watson, Chairman of the Committee on Claims and Expenditures, submitted the following report :

MR. PRESIDENT :

Your Committee on Claims and Expenditures, to which was referred Senate Bill No. 215, introduced by Senator Wishard, begs leave to report the same back to the Senate, with the recommendation that the bill do pass.

W. H. WATSON,  
Chairman.

The report was concurred in.

Senator Watson, Chairman of the Committee on Claims and Expenditures, made the following report :

MR. PRESIDENT :

Your Committee on Claims, to which was referred Senate Bill No. 121, introduced by Senator Wishard, begs leave to report the same back to the Senate with the recommendation that the same do pass.

W. H. WATSON,  
Chairman.

The report of the committee was concurred in.

Senator Baker, Chairman of the Committee on Insurance, made the following report :

MR. PRESIDENT :

Your Committee on Insurance, to which was referred Senate Bill No. 252, introduced by Senator Boyd, begs leave to report the same back to the Senate with the recommendation that the same do pass.

O. A. BAKER,

Chairman.

Which report was concurred in.

Senator Baker, Chairman of the Committee on Insurance made the following report :

MR. PRESIDENT :

Your Committee on Insurance, to which was referred Senate Bill No. 256, introduced by Senator Kern, begs leave to report the same back to the Senate with the recommendation that the same do pass.

O. A. BAKER,

Chairman.

Which report was concurred in.

Senator Baker, Chairman of the Committee on Insurance, made the following report :

MR. PRESIDENT :

Your Committee on Insurance, to which was referred Senate Bill No. 143, introduced by Senator Haggard, by request, begs leave to report the same back to the Senate, with the recommendation that the further consideration of said bill be indefinitely postponed.

O. A. BAKER,

Chairman.

The report was concurred in.

Senator Baker, Chairman of the Committee on Insurance, made the following reports :

MR. PRESIDENT :

A majority of your Committee on Insurance, to which was referred Senate Bill No. 64, introduced by Senator Wray, begs leave to report the same back to the Senate with the recommendation that the further consideration of the same be indefinitely postponed.

O. A. BAKER,  
Chairman.

MR. PRESIDENT :

The minority of your Committee on Insurance, to which was referred Senate Bill No. 64, introduced by Senator Wray, begs leave to report the same back to the Senate with the recommendation that the said bill do pass.

A. F. WRAY.

Senator Gifford moved that the bill, with the two reports, be printed.

Senator Kern moved to lay on the table.

Which motion prevailed.

Senator Kern moved to reconsider the vote to lay on the table.

Which motion prevailed.

The motion to lay on the table was lost.

The motion to have the bill and two reports printed was lost.

A motion to concur in the minority report was lost.

The majority report was then concurred in.

Senator McCutchan moved that when the Senate adjourns that it adjourn to meet Monday at 10 o'clock A. M.

Which motion prevailed.

On motion of Senator Watson, the Committee on Benevolent Institutions was excused at 11 o'clock.

Upon request Senators Leyden and Stuart were excused until next Monday.

The Committee on Insurance made the following reports :

MR. PRESIDENT :

A majority of your Committee on Insurance, to which was referred Senate Bill No. 73, introduced by Senator Sweeney, begs leave to report the same back to the Senate, with the recommendation that the further consideration of the same be indefinitely postponed.

O. A. BAKER,  
Chairman.

MR. PRESIDENT :

A minority of your Committee on Insurance, to which was referred Senate Bill No. 73, introduced by Senator Sweeney, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

A. F. WRAY,  
Chairman.

Senator Wray moved the adoption of the minority report.

Which motion was lost.

The majority report was then adopted.

The Committee on Insurance made the following reports :

MR. PRESIDENT :

A majority of your Committee on Insurance, to which was referred Senate Bill No. 184, introduced by Senator Sweeney, begs leave to report the same back to the Senate, with the recommendation that the further consideration of the same be indefinitely postponed.

O. A. BAKER.

MR. PRESIDENT :

The minority of your Committee on Insurance, to which was referred Senate Bill No. 184, introduced by Senator Sweeney, begs leave to report the same back to the Senate, with the recommendation that the said bill do pass.

A. F. WRAY.

Senator Wray moved that the minority report be substituted for the majority report.

Which motion was lost.

The majority report was then concurred in.

Senator Baker asked leave to withdraw the report made on Senate Bill No. 148.

The request was granted.

Senator Wishard, Chairman of the Committee on the Affairs of the City of Indianapolis, submitted the following report :

MR. PRESIDENT :

Your Committee on Affairs of the City of Indianapolis, to which was referred Senate Bill No. 197, introduced by Senator Crumpacker, begs leave to report the same back to the Senate, with the recommendation that the bill do pass.

A. W. WISHARD,  
Chairman.

Which report was concurred in.

Senator Wishard, Chairman of the Committee on the Affairs of the City of Indianapolis, made the following report :

MR. PRESIDENT :

Your Committee on the Affairs of the City of Indianapolis, to which was referred Senate Bill No. 200, introduced by Senator Kern, begs leave to report the same back, with the recommendation that section 4 of said bill be amended to read as follows : "In all cases where, under existing or future laws of this State in like circumstances a person has the right of appeal from the Circuit to the Supreme or Appellate Courts, an appeal may be taken direct to the Supreme or Appellate Courts from any order or judgment of either a special or general term of the Superior Court, and such appeals shall be governed in all things by the law regulating appeals from the Circuit Court to the Supreme or Appellate Court. Appeals from the special to the general term are hereby abolished. In all cases where appeals are now pending in the general term of any Superior Court in this State, any party shall have the right to perfect an appeal from the order or judgment of the special term to the Supreme or Appellate Court at any time within ninety (90) days after the passage of this act: *Provided, how-*



ever, That this provision shall not be so construed as to reduce the time in which an appeal may be taken to less than one year from the date of the order or judgment appealed from." And that when said bill is so amended that it do pass.

A. W. WISHARD,  
Chairman.

Which report was concurred in.

Senator Wishard, Chairman of the Committee on Affairs of the City of Indianapolis, made the following report:

MR. PRESIDENT:

Your Committee on Affairs of the City of Indianapolis, to which was referred Senate Bill No. 301, introduced by Senator Kern, begs leave to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

A. W. WISHARD,  
Chairman.

Which report was concurred in.

Senator Wishard, Chairman of the Committee on Affairs of the City of Indianapolis, made the following report:

MR. PRESIDENT:

Your Committee on Affairs of the City of Indianapolis, to which was referred Senate Bill No. 142, introduced by Senator Stuart, begs leave to report the same back to the Senate with the recommendation that the bill do pass.

A. W. WISHARD,  
Chairman.

Which report was concurred in.

Senator Kern presented a memorial from Governor Matthews and others in reference to a patriotic observance of Washington's birthday by the General Assembly.

Read and referred to the Committee on Rights and Privileges.

Senator O'Brien, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 325, introduced by Senator Baker, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

JAMES O'BRIEN.

Which report was concurred in.

Senator O'Brien, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 211, introduced by Senator Vail, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

JAMES O'BRIEN,  
Chairman.

Which report was concurred in.

Senator O'Brien, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred House Bill No. 93, introduced by Mr. Stakebake, begs leave to report the same back to the Senate, with the recommendation that it do pass.

JAMES O'BRIEN,  
Chairman.

The report was concurred in.

Senator O'Brien, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 302, introduced by Senator Self, begs leave to report the same back to the Senate with the recommendation that it do pass.

JAMES O'BRIEN,  
Chairman.

Which report was concurred in.

The Committee on Cities and Towns made the following reports:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred Senate Bill No. 78, introduced by Senator LaFollette, begs leave to report the same back to the Senate with the recommendation from the majority that the substitute herewith do pass.

JAMES O'BRIEN,  
Chairman.  
O. N. CRANOR,  
GEO. H. GIFFORD.

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred Senate Bill No. 78, introduced by Senator LaFollette, begs leave to report the same back to the Senate, with the recommendation from the minority that the substitute herewith do not pass.

L. W. VAIL,  
M. A. SWEENEY.

Said substitute is as follows:

A bill for an act authorizing cities incorporated under the general laws to enforce street sprinkling and sweeping, providing for the letting of the same by contract, the manner of assessing and collecting the cost of such sprinkling and sweeping, and declaring an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That the common council of any city incorporated under the general laws of the State of Indiana, may cause any street, alley or public place, within the limits of such city, to be sprinkled or swept, or both, at the expense of the holders of the real estate bordering on such street, alley or public place: *Provided*, That if a majority of such property owners remonstrate, in writing, and, also, representing a majority of the frontage along such street, alley or public place, exclusive of streets and alleys, contract shall not be made for such sprinkling or sweeping. That whenever such common council shall order any street, alley or public place to be sprinkled or

swept, it shall cause the necessary specifications for such work to be prepared and filed in the office of the City Clerk, shall publish for two weeks in some weekly newspaper printed in such city, a resolution ordering the work to be done, shall hear remonstrances at the time fixed in such resolution, and may notify, confirm or rescind their original resolution, and shall advertise for bids by publication in a weekly newspaper printed and published in such city for two successive weeks.

SEC. 2. The cost of such sprinkling or sweeping shall be assessed *pro rata* against the property along the line of such street, alley or public place as the cost of street improvements is assessed, except that such city shall not be liable to pay for the sprinkling or sweeping of any street or alley crossings, but the total costs shall be paid by the abutting property owners. Such Council may, at its option, embrace in one order or resolution, and also in one contract, any number of streets, alleys or public places for which the specifications for such sprinkling or sweeping are uniform, or such Council may include in one resolution and contract such streets as to which the specifications for sprinkling and sweeping are not uniform: *Provided*, That such contract and bids therefor shall separately state the cost of sprinkling streets, alleys and public grounds which are uniform, with regard to the specifications to such sprinkling or sweeping. In such cases such Council may accept part of such bid on one group of streets uniform in their specifications, and reject other parts of such bids on other groups of streets.

SEC. 3. Such assessments shall be payable quarterly, viz.: The first Monday in February, May, August and November of each year without notice to such property owners, all assessments not paid as above stated shall be delinquent and shall be collectible at the option of the contractor as is provided by law in the case of street improvements.

SEC. 4. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in full force and effect from and after its passage.

Senator Seller moved that the bill with both reports be printed.

Which motion prevailed.

Senator Newby, Chairman of the Committee on Judiciary, submitted the following report :

**MR. PRESIDENT :**

Your Committee on Judiciary, to which was referred Senate Bill No. 822, introduced by Senator Parker, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby presented a petition asking for the passage of House Bill No. 165, known as the Nicholson Bill.

Similar petitions were also presented by Senators Cranor, Seller, Phares, Gifford and Schneck.

They were read and referred to the Committee on Temperance.

Senator O'Brien presented a petition from citizens of Bennett's Switch asking for the defeat of the bill requiring the inspection of boilers and licensing of engineers.

Read and referred to the Committee on Labor.

Senator Haggard, Chairman of the Committee on Finance, made the following report :

**MR. PRESIDENT :**

Your Committee on Finance, to which was referred Senate Bill No. 174, recommends that the bill be printed.

HAGGARD,  
Chairman.

Which report was concurred in.

Senator Vail, Chairman of the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills, to which was referred Senate Enrolled Bill No. 104, introduced by Senator Leyden, begs leave to report that they have compared the enrolled bill with the bill as passed by the Senate and find the same correct.

L. W. VAIL,  
Chairman.

Which report was concurred in.

Senator Vail, Chairman of the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills, to which was referred Senate Enrolled Bill No. 47, introduced by Senator Houghton, begs leave to report that they have compared the enrolled bill with the bill as passed by the Senate, and find the same correct.

L. W. VAIL,  
Chairman.

The report was concurred in.

Senator Self presented a petition from citizens of Southern Indiana, asking that the State be redistricted for judicial purposes.

Read and referred to the Committee on Organization of Courts.

Senator Seller presented a petition from James F. Harney and others, asking for the passage of Senate Bill No. 289.

Read and referred to the Committee on Judiciary.

Senator Seller asked that Senator Alexander be granted a leave of absence for next Monday and Tuesday.

Which was granted.

Senator Phares introduced Senate Bill No. 348, entitled :

A bill for an act to authorize the organization and incorporation of Mutual Insurance Companies, and defining their powers, rights and duties, and other matters connected therewith, repealing all laws in conflict therewith, and declaring an emergency.

Read the first time and referred to the Committee on Insurance.

Senator Sweeney presented a petition from the citizens of Huntingburg asking for certain amendments to the law authorizing the organization of building and loan associations.

Read and referred to the Committee on Corporations.

Senator Mull presented a petition from the citizens of Hancock County asking for the passage of a fee and salary law.

Read and referred to the Committee on Fees and Salaries.

Senator Gifford introduced Senate Bill No. 349, entitled :

A bill for an act declaring the 12th day of February, commonly called Lincoln's birthday, a legal holiday within the State.

Read the first time and referred to the Committee on Rights and Privileges.

On motion of Senator Cranor, the Senate adjourned.

MORTIMER NYE,

President of the Senate.

WILLIAM S. ENNES,

Assistant Secretary of the Senate.

## MONDAY MORNING.

FEBRUARY 11, 1895.

The Senate met at 10 o'clock with President Nye in the chair.

Prayer was offered by the Rev. Benjamin W. Cooper of Furnace Place M. E. Church.

After the reading of a portion of the Journal, on motion of Senator Crumpacker, the further reading of the same was dispensed with.

Senator Baker presented a petition from the citizens of Anderson asking support and influence for the passage of Senate Bill No. 165.

Read and referred to the Committee on Corporations.

Senator Bird presented a petition from the citizens of Whitley County, asking for the passage of Senate Bills No. 66 and 67.

Read and referred to the Committee on Agriculture.

Senator Bird presented a petition from the employes of the Indiana School for Feeble-Minded Youth, Ft. Wayne, asking that the investigation of that institution be held at Ft. Wayne instead of Indianapolis.

Read and referred to the Committee on Benevolent Institutions.

Senator Self presented a petition asking for the redistricting of the State for judicial purposes.

Read and referred to the Committee on Organization of Courts.



Senator Shiveley presented a petition from the citizens and voters of Wayne County asking that the lien law now in force remain undisturbed.

Read and referred to the Committee on Judiciary.

Senator Shiveley presented three petitions from the citizens of Wayne County asking for the enactment of pure food laws.

Read and referred to the Committee on Agriculture.

Senators Phares, Duncan, Shiveley, Stuart, Wray, Sweeney and Seller presented petitions asking for the passage of House Bill No. 165, known as the Nicholson Bill.

Read and referred to the Committee on Temperance.

Senator Holler presented a communication from W. M. Whitten, relative to the proposed ship canal and the drainage of the Kankakee Basin.

Read and referred to the Committee on Agriculture.

Senator Baker presented a petition from the teachers of the public schools of Fairmount, asking him to vote in favor of the bill raising the age of consent from fourteen to eighteen years.

Read and referred to the Committee on Rights and Privileges.

Senator Barnes introduced Senate Bill No. 350, entitled:

A bill for an act entitled an act prohibiting the publication or sale of pernicious literature, and providing for the punishment for the violation of the same.

Read the first time and referred to the Committee on Rights and Privileges.

Senator Cranor introduced Senate Bill No. 351, entitled :

A bill for an act defining certain duties and fixing the compensation of Clerks of Circuit, Superior and Criminal Courts, County Auditors, County Treasurers, County Sheriffs, and County Recorders, defining certain crimes and fixing punishment therefor, and repealing all conflicting laws.

Read the first time and referred to the Committee on Fees and Salaries.

Senator Gifford introduced Senate Bill No. 352, entitled :

An act to legalize and render valid the records of the Circuit and Superior Courts of the various counties of the State of Indiana, also, to legalize all Sheriffs' sales of real estate made upon executions and decrees issued before the signing of the same by regular and special Judges of said courts, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Haggard introduced Senate Bill No. 353, entitled :

An act to provide for the creation of water-way from Lake Michigan to the head of navigation on the Wabash River, and reclaiming of the low and wet lands along the Kankakee River, and making an appropriation therefor.

Read the first time and referred to the Committee on Agriculture.

Senator Boyd, by request, introduced Senate Bill No. 354, entitled :

An act to protect a person who has been injured physically, and has been awarded a judgment for such injury.

Read the first time and referred to the Committee on Judiciary.

Senator Seller introduced Senate Bill No. 355, entitled :

A bill for an act concerning deeds executed upon illegal or invalid tax sales, providing for the release of the lien thereof, and declaring an emergency :

Read the first time and referred to the Committee on Judiciary.

Senator Wishard introduced Senate Bill No. 356, entitled :

A bill for an act entitled an act to amend section ten (10) of an act entitled an act to provide for the more uniform mode of doing township business, prescribing the duties of certain officers in connection therewith and to repeal all laws conflicting with this act, approved February 18, 1859.

Read the first time and referred to the Committee on County and Township Business.

Senator Wishard introduced Senate Bill No. 357, entitled :

An act to amend an act entitled, "An act to amend section one of an act entitled an act regulating foreign insurance companies doing business in this State, prescribing the duties of the agents thereof, and of the Auditor of the State in connection therewith, and prescribing penalties for the violation of the provisions of this act, approved December 21, 1865, and adding supplemental sections thereto, approved March 3, 1877, and repealing all acts in conflict therewith, and declaring an emergency."

Read the first time and referred to the Committee on Insurance.

Senator Wray introduced Senate Bill No. 358, entitled :

A bill for an act to amend sections two hundred and six (206) and two hundred and seven (207) of "An act concerning proceedings in criminal cases," approved April 19, 1881, being sections 1781 and 1782 of the Revised Statutes of 1881, and repealing all laws and parts of laws in conflict herewith.

Read the first time and referred to the Committee on Judiciary.

The following communication was received from the President of the Senate:

*To the Senate:*

I have signed Senate Enrolled Bills Nos. 47 and 104.

MORTIMER NYE.

Senator Holler, Chairman of the Committee on Agriculture, made the following report:

MR. PRESIDENT:

Your Committee on Agriculture, to whom was referred Senate Bill No. 326, introduced by Senator Boyd, begs leave to report the same back with the recommendation that the same be indefinitely postponed.

C. HOLLER,  
Chairman.

Which report was concurred in.

Senator Holler, Chairman of the Committee on Agriculture, made the following report:

MR. PRESIDENT:

Your Committee on Agriculture, to which was referred Senate Bill No. 319, introduced by Senator Vail, begs leave to report that the same be indefinitely postponed.

C. HOLLER,  
Chairman.

The report of the committee was concurred in.

Senator Collett, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 210, introduced by Senator Humphreys, begs leave to report the same back to the Senate, with the recommendation that the following bill, as a substitute for Senate Bill No. 210, do pass.

M. W. COLLETT,  
Chairman.

A bill for an act relating to the duties of County Coroners.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Indiana:* That every County Coroner, as soon as he shall be notified that the dead body of any person has been found within his county, and there is no person authorized to take charge of such body, and the cause of the death of such person is unknown; or whenever any Coroner shall be informed by an affidavit filed with him that the death of any person whose body has been found in his county has been caused by any unlawful and criminal act committed in such county, such Coroner shall proceed in the manner provided by law to inquire into the cause of the death of such person. No Coroner shall exhume any body after burial for the purpose of examination of the same unless so directed by an order of the court, or Judge of the court having jurisdiction of the crime of murder in the county where such body is buried. No inquest shall be held by any Coroner in any case except as provided in this act.

**SEC. 2.** The provisions of this act shall not apply to counties having a population of one hundred thousand or over, as shown by the last census taken by the United States.

**SEC. 3.** An emergency is hereby declared for the immediate taking effect of this act, and the same shall be in force from and after its passage.

The report was concurred in.

Senator Collett, Chairman of the Committee on County and Township Business, to which was referred Senate Bill No. 287, introduced by Senator Schneck, begs leave to report the same back to the Senate, with the recommendation that the bill be indefinitely postponed.

M. W. COLLETT,  
Chairman.

Which report was concurred in.

Senator Collett, Chairman of the Committee on County and Township Business, made the following report:

**MR. PRESIDENT:**

Your Committee on County and Township Business, to which was referred Senate Bill No. 269, introduced by Senator

Houghton, begs leave to report the same back to the Senate with the recommendation that the bill do pass.

M. W. COLLETT,  
Chairman.

The report of the committee was concurred in.

Senator Collett, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 180, introduced by Senator Seller, begs leave to report the same back to the Senate with the recommendation that the bill do pass.

M. W. COLLETT,  
Chairman.

The report of the committee was concurred in.

Senator Collett, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 159, introduced by Senator Collett, begs leave to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

M. W. COLLETT,  
Chairman.

Which report was concurred in.

Senator Collett, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 314, introduced by Senator Self, begs leave to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

M. W. COLLETT,  
Chairman.

Which report was concurred in.

Senator Collett, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 179, introduced by Senator Seller, begs leave to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

M. W. COLLETT,  
Chairman.

Which report was concurred in.

Senator Collett, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 249, introduced by Senator Seller, begs leave to report the same back to the Senate with the recommendation that the bill be amended as follows: At the close of section 1 the following proviso, to wit: "*Provided, further, That the purchaser may at the time of such sale, or at any interest-paying date thereafter, pay all the purchase price of said land, or so many of installments as he may desire.*"

And when so amended the committee recommend that the bill do pass.

M. W. COLLETT,  
Chairman.

The report was concurred in.

Senator McLean introduced Senate Bill No. 359, entitled:

An act concerning sewer improvements in cities having more than thirty thousand, and less than thirty-five thousand population according to the last preceding United States census.

Read the first time and referred to the Committee on Cities and Towns.

Senate Bill No. 97 was read the second time and ordered engrossed.

Senate Bill No. 186 was read the second time and ordered engrossed.

Senate Bill No. 268 was read the second time and ordered engrossed.

Senate Bill No. 297 was read the second time and ordered engrossed.

Senators McLean and Wishard presented petitions asking for the passage of House Bill No. 165, known as the "Nicholson Bill."

Referred to the Committee on Temperance.

House Bill No. 21 was read the second time and passed to its third reading.

House Bill No. 124 was read the second time and passed to its third reading.

Senate Bill No. 21 was read the second time and ordered engrossed.

Senate Bill No. 212 was read the second time and ordered engrossed.

Senate Bill No. 285 was read the second time and ordered engrossed.

Senate Bill No. 163 was read the second time and ordered engrossed.

Senator Newby moved to recommit Senate Bill No. 119 back to the author for amendment.

Which motion prevailed.

Senate Bill No. 307 was read the second time and ordered engrossed.



Senate Bill No. 219 was read the second time.

Senator Stuart moved that further proceedings of this bill be postponed until Wednesday.

Which motion prevailed.

Senator McLean presented a petition from the citizens of Brownstown, Indiana, relative to the proposed removal of the county seat of Jackson County.

Read and referred to the Committee on Judiciary.

Senate Bill No. 161 was read the second time and ordered engrossed.

Senator Barnes introduced Senate Bill No. 360, entitled :

An act entitled an act to amend sections 3, 8, 12, 20, 21 and 65, in the town charter of Vernon, Jennings County, Indiana.

Read the first time and referred to the Committee on Cities and Towns.

House Bill No. 66 was read the second time and passed to its third reading.

Senate Bill No. 20 was read the second time.

Senator Seller offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 20, by striking out of lines 5 and 6, in the printed bill, the words "who has the present ability to do so."

The amendment was adopted, and the bill was ordered engrossed.

Senator Seller moved that the Secretary have calendars printed twice a week, Monday and Wednesday, and placed on the desks of the Senators.

Which motion prevailed.

Senator Seller asked leave of absence for Senator Kern for the balance of the day.

Which was granted.

Senate Bill No. 29 was read the second time and ordered engrossed.

Senate Bill No. 221 was read the second time and ordered engrossed.

Senate Bill No. 49 was read the second time.

Senator Duncan moved to recommit the bill to the Committee on Corporations.

Which motion prevailed.

Senator Seller introduced Senate Bill No. 361, entitled :

A bill for an act concerning the building of free gravel roads by individuals, and the duties of Boards of Commissioners in relation thereto.

Read the first time and referred to the Committee on Roads.

The following communication was received from the House:

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bills Nos. 57, 333, 197, 306, 261, 136, 64, and Senate Bills Nos. 304, 6, 92, 22, 125,\*209 and 120, and the same are hereby transmitted for action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 57, entitled :

An act for the reorganization of the Indiana militia, prescribing regulations and penalties for violation thereof, providing for the election and appointment of officers, defining the rights and duties of civil and military officers, and penalties for neglect and violation thereof, providing for armories, courts martial, councils of administration, boards of survey, military encampments, and the calling of the militia into active service,

making annual appropriation for the support of the militia and other expenses, repealing all laws heretofore enacted on that subject, in conflict with the provisions of this act, and declaring an emergency for the immediate taking effect thereof.

Read the first time and referred to the Committee on Military Affairs.

Engrossed House Bill No. 64, entitled :

A bill for an act fixing the terms of court in the Forty-second Judicial Circuit, composed of the counties of Jackson, Orange and Washington, containing other provisions properly connected with this act, repealing laws inconsistent with this act and declaring an emergency.

Read the first time and referred to the Committee on Organization of courts.

Engrossed House Bill No. 186:

A bill for an act appropriating money for the payment of the claims of the Western Paving and Supply Company on account of paving with asphalt the roadways of North Street in front of the Blind Asylum grounds, and New York Street in front of Military Park, in the city of Indianapolis, and declaring an emergency.

Read the first time and referred to the Committee on Affairs of the City of Indianapolis.

Engrossed House Bill No. 197:

A bill for an act making appropriations for the salaries of the Clerk of the Supreme Court and his deputies from November 22, 1894, to October 31, 1895.

Read the first time and referred to the Committee on Fees and Salaries.

Engrossed House Bill No. 261, entitled :

An act to legalize the incorporation of the town of Broad Ripple, Marion County, Indiana, the election and qualifications of its several Boards of Trustees and other officers, and all acts, orders, ordinances, by-laws, minutes and proceedings of the Board of Trustees of said town and other matters connected therewith, and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

Engrossed House Bill No. 306 :

An act to legalize the incorporation of the town of Middletown, Henry County, Indiana, the election and qualification of its Boards of Trustees and other officers and all official acts, orders, ordinances, resolutions, by-laws, minutes and proceedings, rules and regulations of the Boards of Trustees of said town, and other matters connected therewith, and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

Engrossed House Bill No. 333 :

An act to amend sections four (4), forty-nine (49), fifty (50), fifty-three (53) and fifty-nine (59) of an act entitled "An act concerning taxation, repealing all laws in conflict therewith, and declaring an emergency," approved March 6, 1891, and declaring an emergency.

Read the first time and referred to the Committee on Finance.

Senate Bill No. 218 was read the second time and ordered engrossed.

Senate Bill No. 276 was read the second time and ordered engrossed.

House Bill No. 93 was read the second time and passed to the third reading.

House Bill No. 110 was read the first time.

Senator LaFollette moved that the constitutional rule requiring bills to be read on three several days be suspended; the bill read the second time by title, considered engrossed, read the third time by sections and placed upon its passage.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were:

Senators Baker, Barnes, Beck, Bird, Boord, Boyd, Collett, Cranor, Duncan, Ellison, Gifford, Haggard, Holler, Humphreys, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McHugh, McLean, McManus, Mull, Newby, O'Brien, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Watson, Wishard, Wray. Total, 34.

None voting in the negative:

So the constitutional rule was suspended, the bill read a second time by title, considered engrossed, and read the third time by sections and placed upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Baker, Barnes, Beck, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Holler, Humphreys, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McHugh, McLean, McManus, Mull, Newby, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Watson, Wishard, Wray. Total, 35.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senate Bill No. 262 was read the second time and ordered engrossed.

Senate Bill No. 67 was read the second time.

Senator LaFollette offered the following amendment :

MR. PRESIDENT :

I move to amend Substitute Senate Bill No. 67 by striking out and rejecting the following: Commencing with the word "free," in line 9, section 4, to and including the word "butter," in line 10 of said section.

LaFOLLETTE.

Senator Crumpacker moved that the consideration of this bill be indefinitely postponed.

Senators Holler and Wray demanded the ayes and noes.

Those voting in the affirmative were :

Senators Boyd, Collett, Crumpacker, Gostlin, LaFollette, McManus, Watson, Wishard and Leyden. Total, 9.

Those voting in the negative were :

Senators Alexander, Barnes, Beck, Bird, Boord, Duncan, Ellison, Gifford, Haggard, Holler, Houghton, Humphreys, Johnston, Kerns of Vermillion, McCord, McDonald, McHugh, McKelvey, McLean, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Wray. Total, 32.

So the motion to postpone was lost.

Senator Shiveley moved to refer the bill back to the Committee on Agriculture.

Which motion prevailed.

Senator Shiveley presented the following resolution :

MR. PRESIDENT :

I move the adoption of the following resolution :

*Resolved*, That the Secretary of the Senate be instructed to cause to be laid upon the desk of each member of the Senate a copy of each bill reported passed by the House and transmitted to the Senate for passage as soon after such report as practicable.

SHIVELEY.

Which resolution was adopted.

Senator Baker introduced Senate Bill No. 362, entitled :

A bill for an act to amend section one (1) of an act entitled "An act concerning taxation, repealing all laws in conflict therewith, and declaring an emergency," approved March 6, 1891 (Acts of 1891, page 199); to repeal section two (2) of said act and to amend section twenty of said act; also to amend sections one and three of an act entitled "An act levying an annual State tax for the purpose of raising revenue for the General Fund, Benevolent and Reformatory Institution Fund, the School Revenue for Tuition Fund and State Debt Sinking Fund of the State Treasury; providing for the application of any unappropriated balance in the General Fund to the payment of the principal of the public debt, repealing all conflicting laws and declaring an emergency," approved March 1, 1893 (Acts, 1893, page 182), repealing all conflicting laws, and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

Senator McCutchan introduced Senate Bill No. 363, entitled :

A bill for an act fixing the punishment for the crime of embezzlement, when the sum embezzled is less than twenty-five dollars, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

By request Senator O'Brien introduced Senate Bill No. 364, entitled :

A bill for an act concerning public improvements in towns and cities having a population less than thirty-five thousand, according to the United States census of 1890, and repealing laws inconsistent therewith.

Read the first time and referred to the Committee on Cities and Towns.

Senator Wishard introduced Senate Bill No. 365, entitled :

A bill for an act to amend section 77 of an act of the General Assembly of the State of Indiana, entitled "An act concerning taxation, repealing all laws in conflict therewith, and declaring an emergency," approved March 6, 1891, and declaring an emergency.

Read the first time, and referred to the Committee on Finance.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 312, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 312:

A bill for an act to establish a department of public parks in cities having more than one hundred thousand population, according to the last preceding United States census, and creating a Board of Park Commissioners, defining the powers and duties of such Board and matters connected therewith, and declaring an emergency.

Read the first time and referred to the Committee on Affairs of the City of Indianapolis.

Senator Gifford introduced Senate Bill No. 366, entitled :

A bill for an act fixing the per diem of Township Trustees, designating the funds out of which the same shall be paid, and the mode of allowance, providing for the division of time for the transaction of business of the office, and limiting the levying of tax in certain cases.

Read the first time and referred to the Committee on County and Township Business.



Senator Gifford, by request, introduced Senate Bill No. 367, entitled :

A bill for an act entitled "An act prescribing certain duties of persons, firms and corporations operating telephone exchanges and toll lines, regulating the prices to be charged for the use of the same, providing penalties therefor and declaring an emergency."

Read the first time and referred to the Committee on Cities and Towns.

Senator Boyd, Chairman of the Committee on Benevolent Institutions, made the following report :

MR. PRESIDENT :

Your Committee on Benevolent Institutions, to which was referred Senate Bill No. 28, introduced by Senator Shiveley, begs leave to report the same back to the Senate, with the recommendation that the same be printed.

THOS. E. BOYD,  
Chairman.

Which report was concurred in.

Senator Boyd, Chairman of the Committee on Benevolent Institutions, made the following report :

MR. PRESIDENT :

Your Committee on Benevolent Institutions, to which was referred Senate Bill No. 7, introduced by Senator Boyd, begs leave to report the same back to the Senate, with the recommendation that the same be printed.

THOS. E. BOYD,  
Chairman.

Which report was concurred in.

Senator Boyd, Chairman of the Committee on Benevolent Institutions, made the following report :

MR. PRESIDENT :

Your Committee on Benevolent Institutions, to which was referred Senate Bill No. 243, introduced by Senator Boyd, begs leave to report the same back to the Senate, with the recommendation that the same be printed.

THOS. E. BOYD,  
Chairman.

Which report was concurred in.

Senator Kern introduced Senate Bill No. 368, entitled :

An act to repeal sections 3162, 3163, 3164, 3165, 3357, 3358, 3359, 3360, 3363, 3364, 3365, 3366 of the Revised Statutes of 1881; and to repeal an act entitled "An act concerning contracts made by order of the Common Council of cities for the grading and improvement of streets and alleys, providing the manner of estimating the cost thereof, and of enforcing the same against the lots and unplatted lands abutting on such streets and alleys, fixing the liability therefor, and declaring an emergency," approved April 13, 1885; and to repeal all laws in conflict with an act entitled, "An act concerning powers and duties of cities and incorporated towns and their common councils and boards of trustees, and providing the mode and manner of making street and alley improvements and building sewers, and providing for the mode and manner of enforcing the payment of the cost of street and alley improvements and building sewers, and permitting cities or incorporated towns to issue street and sewer improvement bonds, and repealing all conflicting laws, and declaring an emergency," approved March 8, 1889, and to repeal all laws in conflict with the amendments thereto.

Read the first time and referred to the Committee on Cities and Towns.

Senator McCord introduced Senate Bill No. 369, entitled :

A bill for an act to amend sections thirteen and eighteen of an act entitled "An act to authorize and regulate the incorporation of banks of discount and deposit in the State of Indiana, approved February 7, 1873," and fixing the compensation thereof.

Read the first time and referred to the Committee on Banks.

On motion of Senator McCutchan the Senate adjourned.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.

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## TUESDAY MORNING.

FEBRUARY 12, 1895.

The Senate convened at 10 o'clock with Lieutenant-Governor Nye in the chair.

After a portion of the Journal had been read, upon motion of Senator Shiveley the further reading of the same was dispensed with.

Senator Leyden introduced Senate Bill No. 370, entitled :

An act providing for the erection of a monument over the grave of ex-Governor A. P. Willard, and providing for an appropriation for the same, and declaring an emergency.

Read the first time and referred to the Committee on Finance.

Senator Phares presented a petition from citizens of Benton County asking for the passage of House Bill No. 165, known as the Nicholson Bill.

Read and referred to the Committee on Temperance.

Senator LaFollette offered the following resolution :

WHEREAS, The State of Indiana has by legislative enactment provided for a uniform list of school books for use in the common schools of the State, and has with a view of furnishing the same to the people of the State at as low a price as was deemed possible at the time the law was passed, fixed a price to be paid for said books and has given by virtue of law the exclusive right to furnish said books to a corporation known as the Indiana School Book Company; and,

WHEREAS, It is claimed by many that the prices paid for said books are too high and that it would be economy for the State to furnish school books free to the people of the State; and,

WHEREAS, It is also claimed that said Indiana School Book Company has combined with other publishers of said school books and has gone into a combine to maintain present prices or to advance the same if possible; and,

WHEREAS, It is necessary to have full information on said subjects to intelligently legislate concerning said matters; therefore, be it,

*Resolved*, That the said the Indiana School Book Company be required to furnish to the Senate of the State of Indiana a full report of its business so far as the same relates to the publishing of said school books, showing fully the amount of its capital stock, and how much of the same is paid up, when and by whom the said stock is owned, the amount of money invested in the said business, the gross annual receipts therefrom, the disbursement of the same, showing specifically the amount of money paid to the officers of said company for salaries and expenses, also the amount paid, if anything, as dividends, showing also the amount of money on hand and undistributed profits, if anything. Also, if any stock of said company was issued to any person for less than par or face value, and what amount of money has been paid to County Superintendents and Township Trustees, if anything, for handling said books.

That a copy of this resolution be furnished to the Secretary of said the Indiana School Book Company at once, and that said information herein asked for shall be furnished to the Senate of the State of Indiana, within ten days, duly verified by

the Secretary and Treasurer of said corporation, for the purpose of aiding in determining what legislation, if any, should be had upon the question of school books for the common schools of the State. That a failure of said company to furnish said information shall be taken as consent on its part that prices of said books might properly be reduced to the people of the State.

Read and referred to the Committee on Education.

Senator McLean introduced Senate Bill No. 371, entitled:

An act for the relief of Theodore Price, Trustee of Riley Township; Joseph Crockett, Trustee of Sugar Creek Township; George Peters, Trustee of Pierson Township, and Robert Woods, Trustee of Nevins Township; all in the county of Vigo, in the State of Indiana, and declaring an emergency.

Read the first time and referred to the Committee on County and Township Business.

Several petitions and affidavits bearing on this subject presented with this bill were all also referred to the Committee on County and Township Business.

Senator Rinear introduced Senate Bill No. 372, entitled:

A bill for an act to legalize each and every official act of the several boards of trustees of the incorporated town of Warren, Huntington County, Indiana, and all the official acts of the several officers of said town, since the 9th day of March, 1889, and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

Senator Shiveley introduced Senate Bill No. 373, entitled:

A bill for an act to amend an act entitled an act to amend section one hundred and fourteen (114) of an act entitled "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and the establishment and regu-

lation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865, and declaring an emergency," as amended March 3, 1893, and known as section 4482 of the Revised Statutes of 1881, and being section 5968 of Burns' Revision, 1894, and to amend section four (4) of an act entitled an act to amend sections 109, 110, 111 and 118 of an act entitled an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, etc., approved March 6, 1865, as amended by an act which took effect March 11, 1867, approved March 11, 1873, being section 4486 of the Revised Statutes of 1881, and being section 5973 of Burns' Revision, 1894, and to amend sections one (1) and two (2) of an act entitled "An act to authorize Township Trustees, Trustees of incorporated towns and the Common Council of cities to levy a tax for school purposes," approved March 9, 1867, being known as sections 4469 and 4170 of the Revised Statutes of 1881, and being sections 5955 and 5956 of Burns' Revision of 1894, and to repeal all laws inconsistent with the provisions of this act, and declaring an emergency.

Read the first time and referred to the Committee on Education.

Senator Newby introduced Senate Bill No. 374, entitled :

A bill for an act to make a compilation of the statutes of the State of Indiana, known as Myers' Annotated Statutes, *prima facie* evidence of the originals in all courts and proceedings in this State.

Read the first time and referred to the Committee on Judiciary.

Senator Haggard introduced Senate Bill No. 375, entitled :

An act for the payment of John H. Jack for military services rendered as Inspector-General of the State of Indiana.

Read the first time and referred to the Committee on Military Affairs.

Senator Duncan introduced Senate Bill No. 376, entitled :

A bill for an act concerning statistics, providing for the performance of certain duties by County Auditors, Township Assessors and Prosecuting Attorneys, and providing for penalties for the failure of the officers to perform the duties imposed upon them, etc.

Read the first time and referred to the Committee on Public Health, Vital and Other Statistics.

Senator Duncan introduced Senate Bill No. 377, entitled :

A bill for an act entitled an act providing for the establishment and administration of a free public library system for the State of Indiana, repealing all laws in conflict and declaring an emergency.

Read the first time and referred to the Committee on Education.

Senator Cranor, Chairman of the Committee on Fees and Salaries, made the following report :

MR. PRESIDENT:

Your Committee on Fees and Salaries, to which was referred Engrossed House Bill No. 197, introduced by Mr. Adams, of Parke, begs leave to report the same back to the Senate with the recommendation that the bill do pass.

CRANOR,  
Chairman.

Senator Cranor moved that the constitutional rule requiring bills to be read on three several days be suspended and the bill be read the second time by title and the third time by sections now.

The question being upon the suspension of the constitutional rule.

Those voting in the affirmative were :

Senators Baker, Barnes, Beck, Boyd, Collett, Cranor, Crumacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kerns of Vermillion, La-

Follette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Newby, O'Brien, Phares, Rinear, Schneck, Self, Shiveley, Stuart, Sweeney. Total, 35.

Senator Bird voting in the negative.

So the constitutional rule was suspended and the bill was read the second time by title and the third time by sections now.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Baker, Beck, Bird, Boyd, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Rinear, Schneck, Self, Shiveley, Stuart, Sweeney, Watson. Total, 37.

None voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senate Bill No. 242 was read the third time.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Baker, Barnes, Beck, Bethell, Bird, Boyd, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, McCord, McCutchan, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, Wray. Total, 40.

None voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.



Senate Bill No. 192 was read the third time.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Collett, Holler, McDonald, Newby, Phares, Schneck.  
Total, 6.

Those voting in the negative were:

Senators Baker, Barnes, Beck, Bethell, Bird, Boyd, Crum-  
packer, Duncan, Ellison, Gifford, Haggard, Houghton, Hum-  
phreys, Johnston, Kern of Marion, Kerns of Vermillion, La-  
Follette, Leyden, McCord, McCutchan, McHugh, McKelvey,  
McLean, McManus, Mull, O'Brien, Parker, Rinear, Self, Seller,  
Stuart, Sweeney, Vail, Watson, Wishard, Wray. Total, 36.

So the bill failed to pass.

Senate Bill No. 44 was read the third time.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Baker, Beck, Bird, Boyd, Cranor, Gifford, Hough-  
ton, Humphreys, Johnston, Kern of Marion, McCutchan, Mc-  
Donald, McKelvey, McLean, Mull, O'Brien, Parker, Rinear,  
Shiveley, Stuart, Sweeney, Vail, Wishard, Wray. Total, 24.

Those voting in the negative were:

Senators Barnes, Bethell, Bozeman, Collett, Duncan, Gost-  
lin, Haggard, Holler, Kerns of Vermillion, LaFollette, McCord,  
McHugh, Phares, Schneck, Self, Seller, Watson. Total, 17.

So the bill failed to pass for the want of a constitutional  
majority.

House Bill No. 98 was read the third time.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Beck, Bethell, Bird, Boyd, Collett, Cranor, Crum-  
packer, Duncan, Gifford, Gostlin, Holler, Houghton, Hum-  
phreys, Johnston, Kern of Marion, Kerns of Vermillion,  
LaFollette, McCord, McHugh, McKelvey, McLean, McManus,  
Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Sel-  
ler, Shiveley, Stuart, Vail, Watson, Wishard, Wray. To-  
tal, 36.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the  
act.

Senate Bill No. 172 was read the third time.

The question being, Shall the bill pass?

The roll was called which resulted as follows:

Those voting in the affirmative were:

Senators Barnes, Beck, Bethell, Bird, Boyd, Bozeman, Col-  
lett, Cranor, Duncan, Gifford, Gostlin, Holler, Houghton,  
Humphreys, Johnston, Kerns of Vermillion, LaFollette, Mc-  
Cord, McCutchan, McDonald, McHugh, McKelvey, McLean,  
McManus, Newby, O'Brien, Parker, Phares, Rinear, Schneck,  
Self, Seller, Shiveley, Stuart, Vail, Watson, Wishard, Wray.  
Total, 37.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the  
act.

Senate Bill No. 307 was read the third time.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Baker, Barnes, Beck, Bethell, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Self, Seller, Shiveley, Stuart, Vail, Watson, Wishard, Wray. Total, 39.

None voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senate Bill No. 66 was read the third time.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Beck, Bird, Boyd, Bozeman, Collett, Crumpacker, Ellison, Gifford, Holler, Humphreys, Johnston, Kerns of Vermillion, McCord, McDonald, McHugh, McLean, McManus, Mull, Parker, Rinear, Schneck, Seller, Stuart, Sweeney, Watson, Wishard. Total, 26.

Those voting in the negative were:

Senators Baker, Barnes, Bethell, Duncan, Gostlin, LaFollette, McCutchan, McKelvey, O'Brien, Phares, Shiveley, Vail. Total, 12.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senator Parker asked to be excused in participating as a member of the Benevolent Committee in the examination of the School for Feeble-Minded Youths at Fort Wayne.

Senator Collett moved that Senator Parker be excused and that the President appoint a member to serve in his place.

Which motion prevailed.

The hour of 12 o'clock m. having arrived, the time set for the Senate to meet the House in joint convention in accordance with House Concurrent Resolution No. 5, the Senate repaired to the Hall of the House of Representatives for the purpose of electing a State Librarian, for the term of two years.

The Lieutenant Governor called the joint convention to order.

The roll of the Senate being called, the following Senators answered to their names:

Senators Baker, Barnes, Beck, Bethell, Bird, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Keen of Marion, Kerns of Vermillion, LaFollette, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, Wishard, Wray. Total, 44.

The roll of the House being called, the following members answered to their names:

Representatives Adams of Parke, Allen, Allison, Barber, Billingsly, Binkley, Blakely, Blue, Boardman, Bobilya, Bohannon, Booher, Cardwill, Coates, Crozier, Culbert, Dalman, Davis, Dinwiddie, Duncan, Elliott, Farrell, Feist, Floyd, Fowler, Gaither, Gibson, Gregg, Griffin, Grimes, Hamrick, Hanna, Harris, Harrison of Shelby, Harrison of Elkhart and Kosciusko, Hesler, Higbee, Holloway, Howe, Hundley, Hunt, Hunter, Kamp, Kell, Kelly, Laidlow, Lambert, Leedy, Lloyd, Longwell, Loring, McBeth, McCaskey, McGeath, McGregor, McCrea, Merritt, Moore, Newhouse, Nicholson, O'Brien, Pettit, Pindexter, Porter, Remington, Reynolds, Robinson, Ross, Simons,

Smith of Huntington, Smith of Tipton, Spaulding, Spitler, Stakebake, Stetler, Stewart, Stotsenberg, Statesman, Swope, Terhune, Thomas, Van Arsdel, Vonnegut, Welch, White, Williams, Willis, Willoughby, Wilson, Woodruff, Miller. Total, 91.

The Lieutenant-Governor announced that nominations for State Librarian were in order.

Senator McKelvey nominated Miss Mary E. Ahern, of Owen County, for State Librarian, for the term of two years.

Senator Boyd nominated Mrs. Emma L. Davidson, of Miami County, for State Librarian, for the term of two years.

The Lieutenant-Governor ordered the roll of the Senate called.

The roll of the Senate being called, resulted as follows:

Those voting for Mary E. Ahern were:

Senators Barnes, Beck, Bird, Ellison, Gifford, Humphreys, Kern of Marion, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Sweeney, Wray. Total, 16.

Those voting for Emma L. Davidson were:

Senators Baker, Bethell, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, Wishard. Total, 26.

The Lieutenant-Governor ordered the roll of the House called.

The roll of the House being called, resulted as follows:

Those voting for Mary E. Ahern were:

Representatives Billingsly, Blue, Bobilya, Dalman, Duncan, Feist, Harrison of Shelby, Higbee, Kell, Kelley, McGeath, Remington, Stotsenburg, Swope, White, Williams. Total, 16.

Those voting for Emma L. Davidson were:

Representatives Adams of Parke, Allen, Allison, Barber, Binkley, Blakely, Boardman, Bohannon, Booker, Cardwill, Coates, Crozier, Culbert, Davis, Dinwiddie, Elliott, Farrell,

Floyd, Fowler, Gaither, Gibson, Gregg, Griffin, Grimes, Hamrick, Hanna, Harris, Harrison of Elkhart and Kosciusko, Hesler, Holloway, Howe, Hundley, Hunt, Hunter, Kamp, Laidlow, Lambert, Leedy, Lloyd, Longwell, Loring, McBeth, McCaskey, McGregor, McCrea, Merritt, Moore, Newhouse, Nicholson, O'Brien, Pettit, Poindexter, Porter, Reynolds, Robinson, Ross, Simons, Smith of Huntington, Smith of Tipton, Spaulding, Spitler, Stakebake, Stetler, Stewart, Statesman, Terhune, Thomas, Van Arsdell, Vonnegut, Welch, Willis, Willoughby, Wilson, Woodruff, Miller. Total, 75.

Total number of votes cast, 133.

Necessary to a choice, 67 votes.

Emma L. Davidson having received 101 votes, a majority of all the votes cast, was declared duly elected State Librarian for a term of two years.

There being no further business the joint convention then adjourned.

The Senators returned to the Senate Chamber.

Senate Bill No 285 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Barnes, Beck, Bethell, Bird, Duncan, Ellison, Gostlin, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McHugh, McKelvey, McManus, Mull, Newby, O'Brien, Rinear, Schneek, Seller, Shiveley, Stuart, Vail. Total, 30.

Those voting in the negative were:

Senators Phares, Self, Watson, Wray. Total, 4.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senate Bill No. 29 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Barnes, Beck, Bethell, Bird, Boord, Boze-  
man, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford,  
Gostlin, Haggard, Holler, Houghton, Humphreys, Johnson,  
Kern of Marion, Kerns of Vermillion, LaFollette, Leyden,  
McCord, McCutchan, McHugh, McKelvey, McLean, McManus,  
Mull, Newby, O'Brien, Phares, Rinear, Schneck, Self, Seller,  
Shiveley, Stuart, Vail, Watson, Wishard, Wray. Total, 43.

Those voting in the negative were:

Senators McDonald, Parker. Total, 2.

So the bill passed.

The title of the bill was ordered to stand as the title to the  
act.

House Bill No. 66 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Barnes, Beck, Bethell, Bird, Boord, Boze-  
man, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford,  
Gostlin, Haggard, Holler, Humphreys, Johnston, Kern of  
Marion, Kerns of Vermillion, LaFollette, Leyden, McCord,  
McDonald, McHugh, McKelvey, McLean, McManus, Mull,  
O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shive-  
ley, Stuart, Sweeney, Vail, Watson, Wray. Total, 42.

Those voting in the negative were:

Senators Houghton and McCutchan. Total, 2.

So the bill passed.

The title of the bill was ordered to stand as the title to  
the act.

Senator Seller moved to reconsider the vote by which House Bill No. 66 was passed.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Barnes, Beck, Bird, Collett, Gifford, Houghton, Johnston, Kern of Marion, McDonald, McKelvey, Seller. Total, 11.

Those voting in the negative were:

Senators Baker, Bethell, Boord, Cranor, Crumpacker, Duncan, Ellison, Gostlin, Haggard, Humphreys, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McHugh, McLean, McManus, Mull, Newby, O'Brien, Phares, Rinear, Schneck, Self, Shiveley, Stuart, Sweeney, Vail, Watson, Wishard. Total, 32.

So the motion was lost.

Senate Bill No. 276 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Barnes, Beck, Bethell, Bird, Collett, Cranor, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, O'Brien, Parker, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, Wishard. Total, 40.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.



Senate Bill No. 123 was read the third time.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Baker, Beck, Bird, Boord, Boyd, Cranor, Crum-  
packer, Duncan, Gifford, Gostlin, Haggard, Holler, Humphreys,  
Johnston, Kern of Marion, Kerns of Vermillion, LaFollette,  
Leyden, McCord, McCutchan, McHugh, McKelvey, McLean,  
McManus, Mull, Newby, O'Brien, Parker, Rinear, Schneck,  
Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, Wish-  
ard, Wray. Total, 29.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to  
the act.

Senate Bill No. 13 was read the third time.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Barnes, Beck, Bird, Duncan, Ellison, Gifford, Hum-  
phreys, Johnston, Kerns of Vermillion, LaFollette, Leyden,  
McCutchan, McDonald, McKelvey, McLean, McManus, Mull,  
O'Brien, Parker, Rinear, Schneck, Seller, Stuart, Watson,  
Wishard, Wray. Total, 26.

Those voting in the negative were:

Senators Baker, Bethell, Boyd, Collett, Cranor, Gostlin,  
McCord, Newby, Self, Shiveley, Vail. Total, 11.

So the bill passed.

The title of the bill was ordered to stand as the title to the  
act.

Senate Bill No. 262 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Barnes, Beck, Bethell, Bird, Boord, Crumpacker, Ellison, Gifford, Holler, Houghton, Johnston, Kerns of Vermillion, Leyden, McCord, McDonald, McHugh, McLean, McManus, Mull, Newby, Schneck, Seller, Stuart, Vail, Watson, Wishard, Wray. Total, 27.

Those voting in the negative were:

Senators Baker, Boyd, Collett, Cranor, Humphreys, Kern of Marion, LaFollette, McCutchan, McKelvey, O'Brien, Parker, Phares, Rinear, Self, Shiveley. Total, 15.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senate Bill No. 161 was read the third time.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, Wishard, Wray. Total, 44.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The President reported that he appoints Senator Sweeney in place of Senator Parker as a member of the Committee on Benevolent Institutions to investigate the School for the Feeble Minded Youth at Ft. Wayne.

Senate Bill No. 221 was read the third time.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Barnes, Bethell, Boyd, Collett, Cranor, Crumpacker, Gifford, Gostlin, Holler, Kern of Marion, Kerns of Vermillion, LaFollette, McCord, McKelvey, McLean, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Sweeney, Vail, Watson, Wishard. Total, 26.

Those voting in the negative were:

Senators Bird, Duncan, Houghton, Humphreys, Johnston, McCutchan, McDonald, McHugh, Parker, Rinear, Seller, Stuart, Wray. Total, 13.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senate Bill No. 36 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Bethell, Bird, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gifford, Gostlin, Haggard, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, McCord, McCutchan, McDonald, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Shiveley, Stuart, Sweeney, Vail, Watson, Wishard, Wray. Total, 38.

Senator Johnston voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senator Crumpacker introduced Senate Bill No. 378, entitled:

An act concerning the compensation of Trustees of savings banks.

Read the first time and referred to the Committee on Banks.

Senator McDonald moved on account of this being the anniversary of the birth of Abraham Lincoln, that the Senate do now adjourn.

Senators Stuart and McDonald demanded the ayes and noes.

Those voting in the affirmative were:

Senators Baker, Barnes, Beck, Bethell, Bird, Boyd, Collett, Cranor, Crumpacker, Gifford, Haggard, Holler, Kern of Marion, Kerns of Vermillion, McCord, McCutchan, McDonald, McKeevey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Seller, Stuart Sweeney, Vail, Watson.  
Total, 32.

Those voting in the negative were:

Senators Gostlin, Houghton, Johnston, LaFollette, Self, Shiveley, Wray. Total, 7.

So the Senate adjourned.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.

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WEDNESDAY MORNING.

FEBRUARY 13, 1895.

The Senate convened at 10 o'clock, with Lieutenant-Governor Nye in the chair.

After a portion of the Journal had been read, on motion of Senator Boord the further reading of the same was dispensed with.

Senator Parker asked leave of absence for Senator Alexander on account of sickness.

Which leave was granted.

Senate Bill No. 226 was read the third time.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Baker, Barnes, Beck, Bethell, Bird, Boyd, Collett, Cranor, Duncan, Gifford, Gostlin, Haggard, Holler, Houghton, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, Wray. Total, 37.

Senators Crumpacker and Humphreys voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senator Phares, Chairman of the Committee on Swamp Lands, made the following report:

MR. PRESIDENT:

Your Committee on Swamp Lands would report the following substitute for Senate Bill No. 101, introduced by Senator Ellison, and recommend the same do pass.

ISAAC H. PHARES,  
Chairman.

Substitute for Senate Bill No. 101:

An act concerning drainage, the repairs of ditches and drains, and repealing all laws in conflict therewith.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That whenever any owner or owners of land which will be benefited by drainage, and which can not be accomplished in the best and cheapest manner without affecting other lands in this State, shall desire such drainage, he, she or

they may apply therefor by filing with the Board of Commissioners of the county in which the land of the petitioner or petitioners are situate, a petition therefor not less than twenty (20) days before some regular session thereof. The petition shall describe in tracts of forty acres, according to the fractions of government surveys, or less tracts where they exist, and in Clark's grant and the French grant, and all pre-emption and Indian reservations in such tracts are as owned, the land of others which it is believed by the petitioners will be affected by the proposed drainage, and give the names of the owners thereof, if known, and if unknown shall so state. Such petition shall be sufficient to give jurisdiction over the lands described therein, whether within such county or any other county in this State, and power to fix a lien thereon, if they are described as belonging to the person who appears to be the owner thereof on the last tax duplicate or record of transfers kept by the Auditor of the county where the same is situated, and the real owner shall be bound thereby, and such land liable, for all assessments made against it. If the right of way of any railroad company, or the easement of any corporation or any highway, is believed to be affected, it shall be sufficient to describe it as the right of way of such railroad company or easement of such corporation, or such highway, naming it, through or in the section, township and range where situate. It shall also state that in the opinion of the petitioner or petitioners, either that the public health will be improved, or that one or more highways of the county, or street or streets of the town or city will be benefited by the proposed drainage, or that the proposed work will be of public utility; and it shall state generally the method by which it is believed such drainage can be accomplished in the cheapest and best manner, and the belief of the petitioner or petitioners that the costs, damages and expenses of such drainage will be less than the benefits which will result to the owners of the lands likely to be benefited thereby. Such petition shall be verified by the affidavit of some petitioner or owner of real estate in the vicinity of the lands. Such petitioners shall give notice that they have filed such petition by posting three notices in public places in each township where said ditch or ditches are desired, and near thereto, and one at the door of the court house of each county into which such ditch or ditches may run

Or pass, and deliver a copy thereof to a station agent of each railroad company where right of way is mentioned in such petition and also to the Trustee of each township in which such drainage or any part thereof is located and said notices shall be sufficient in the place and date of filing the same, the route thereof, the date of the regular session when the Board of Commissioners will first act thereon, and the names of the petitioners are stated thereon. If the Board of Commissioners of any county shall find that such a petition has been filed, as is provided for in the preceding section, twenty days before the first day of such regular session, and it be made to appear that notice has been given by the posting and delivery of such notices as is required in the preceding section not less than fifteen days before the first day of such regular session, they shall take and have jurisdiction of such matter, and do and order the things necessary to the accomplishment thereof. Any person interested in or affected in any manner by such proposed drainage shall have a right at any time, not later than the second day of the session to which said drainage matter is to be presented, to file with said Board of Commissioners a supplemental petition showing that other lands than those mentioned in the original petition describing the same, with the same particularity as is required in an original petition, will be affected by such drainage, and any such person may also state any reason why any member of such Board of Commissioners should not act in such matter. On the third day of such session, or as soon thereafter as the convenience of such Board of Commissioners will permit, such Board shall, if a supplemental petition, such as is authorized in this act, has been filed, make an order requiring the persons who signed such supplemental to give notice of the filing of the same in the same manner that would be necessary under this act to be given if the same were an original petition, and such Board shall fix a time at their next regular session, or at a special session to be held not less than twenty nor more than thirty days thereafter, when such matter will be further considered, and if the signers of such supplemental petition fail to give such notice the same shall be thereafter disregarded. On such day so fixed by the Board of Commissioners, or as soon thereafter as it may be convenient for them so to do, they shall examine such petitions, and if they find



upon such examination that any member of such Board is interested in any land described in such petition, or is next of kin to any person mentioned in such petition as the owner of any land described therein, then such Board shall appoint some disinterested citizen or citizens of such county to act in the place of such member or members found to be interested in any of said land or of kin to any person mentioned in such petitions, and after accepting such appointment and taken an oath to honestly perform their duties, such persons shall have all the powers of a Board of Commissioners under this act in determining said matter and receive the same compensation while so employed till the same is fully and finally disposed of. The Board of Commissioners or such members or appointees shall have power to take up and dispose of such drainage proceedings at regular or special sessions till the same is finally disposed of. They shall not, however, hear such matter at special sessions unless at the meeting when they last acted therein they continued the hearing to some special day and noted the time thereof on their order book. At the first meeting after such notices have been given, such Board shall examine said petition and all supplemental petitions, and if they find that all persons interested therein or affected thereby have been properly notified, and all lands mentioned therein have been correctly described, they shall proceed to consider and determine such matter as hereinafter directed. If they find that such petitions should be amended, they shall order the party filing the same to make the amendments needed within a reasonable time, fixing the time, and if such petitioners fail so to do such Board of Commissioners shall order the dismissal of such petition, or supplemental petition, because of such failure, and the same shall thereafter be disregarded. Such Board of Commissioners then shall employ a competent civil engineer, or direct the County Surveyor, if he be a competent engineer, to take charge of such matter. No engineer or surveyor shall act who is interested in any land affected by such drainage, or of kin to the owner of any land affected thereby. After he has taken an oath to honestly and faithfully discharge his duties, as directed by them, they shall deliver to such engineer, so selected by them, a copy of such petition and supplemental petitions, such engineer shall forthwith proceed to survey such drainage and determine how many ditches, or ditches and



branches are required, the best and cheapest manner, and the most practicable route or routes by which the same can be accomplished, and make his report to said Commissioners, at some time to be fixed by them, showing the place or places where and the manner in which said ditch or ditches and branches should be located and constructed, and shall state at what station the line crosses highways and the boundary lines of the various land owners when there be fences or other marks to show where such lines are at the time such engineer runs the same. Diagonal lines shall be avoided unless the utility of such drainage shall require the same, and give in tabular form the amount of yards that will be necessary to excavate in each one hundred (100) feet thereof, commencing at the upper end. Such engineer shall locate and make permanent bench marks at convenient places along the line of the ditch or ditches, not further apart than one thousand (1,000) feet, that shall show the grade or bottom line thereof; and he shall also file with his report a profile showing the surface of the ground, the bottom of the ditch, or channel if any there be, wherein the same is laid, and the grade line and fall the new work is intended to have. Such plans may require the removal of obstructions from a natural water course, or the deepening, widening, straightening or changing its natural channel, the construction of an artificial channel, or the laying of tile, placing of catch basins, or the digging of open or covered ditches and drains, or the making of levees, or the combining of any and all of such methods. On the day that such report is directed to be filed, or as soon thereafter as convenient, said Commissioners shall examine the same, and if found to be complete they shall fix a day, not less than ten nor more than thirty days thereafter, when and a place where they will meet on the line of said ditch and take a view of the lands described in the petition, and supplemental petitions, and the scheme of drainage as located and reported by such engineer, and they shall, when viewing said lands, or after having seen all of the same, either at that place or at their court-room on some day to be then fixed and announced by them, hear the statements of any and all of the parties interested therein, or any person that such interested parties may wish to have heard in said matter, as to the feasibility of constructing the same according to the plans of such engineer, and as to the amount of benefits or damages

that will accrue to any person or corporation affected thereby. All of which statements and evidence shall be under oath if desired by said Commissioners, or any of the parties interested in said matter; such oath to be administered by one of such Commissioners, power being given him hereby to administer the same. After having heard such evidence and made such examination such Board shall fix a time at a special session to be held by them or at their next regular session, when they will have prepared their report in such matter. They shall have power to send such engineer or if dissatisfied with his work to send any other competent engineer at any time back over such work to change or modify the plan of the ditch as first reported and make his report upon the same in the same manner as is directed to be done in making the first report of such engineer, and if said Board of Commissioners are not ready to make their report they shall have power to continue said matter from time to time to be fixed and noted in their order book till they can properly and satisfactorily make the same. In making their report the Board of Commissioners shall first estimate the cost thereof and determine whether said drainage as asked for and laid out will benefit any public highway, improve the public health, or be a work of public benefit or utility, and whether the cost of doing the same will exceed the benefits that will arise therefrom, if they find all these matters in the negative they shall go no further, but dismiss such proceedings. If they find any one of such facts will be accomplished, then they shall fix the beginning and end of such drainage and all parts thereof, its courses and distances by suitable monuments, and declare and establish the benches from which the bottom thereof shall be ascertained, and the plans and specifications upon which the same shall be constructed. They shall also state therein the number of cubic yards to be removed from each section of one hundred feet thereof, and they shall assess to each tract of land the right of way of each railroad or other corporation and each easement and highway described in all such petitions and effected thereby, the amount of damages or benefits that will be received by it. Benefits to highways shall be assessed to the township in which the same is situated; such proceedings shall not effect any lands other than those described in such petitions and none other than such lands shall be assessed. In estimating

the benefits that will enure to the various tracts of land mentioned in their report, such Board shall only consider the actual and direct benefit that will accrue to said land from such drainage by reason of the increased value and utility of such lands. And if any work has been done upon any ditch, drain or water course, that has up to that time furnished partial drainage for said land by the then or a former owner of said land, the value thereof to such new drainage shall be given to said lands when estimating such benefits. When the Board file such report they shall fix a day not less than ten nor more than twenty days thereafter when they will hear the persons interested therein in relation to the conclusions reached by such Board, and on said day such persons may appear before said Board and point out any objections they may have thereto, and give any proper evidence why such report should be changed, and at such hearing the Board of Commissioners shall have the power to change and modify such report in such a manner as they deem proper, or to confirm the same. When such Board shall have finally determined the manner in which, and the place where said ditch shall be constructed, and the amount of the several assessments of benefits and damages to the several tracts of land affected, they shall spread such report and finding upon an order book to be prepared for the purpose, and the same shall be deemed a judgment of such Board. And such Board and any court which shall enter final judgment in any such matter shall have the power to define the form of notice to be given for the letting of the contract to do said work, the form of bond to be required of bidders, guaranteeing that they will enter into contract if their offer is accepted, or authorize the deposit of money to secure such guarantee and the form of contract that shall be entered into by the Superintendent it may appoint.

Sec. 2. At any time within twenty (20) days after such judgment has been made by the Board of Commissioners, any person affected by such judgment shall have a right to take an appeal from such judgment to the Circuit or Superior Courts of said county, in which case he shall file with the Auditor in said county his written remonstrance thereto for any of the following causes:

*First.* That the report of the Commissioners is not according to law.

*Second.* That the damages assessed to any particular tract, specifying the same, are too low or too high.

*Third.* That his land, describing the same, is assessed too much as compared with other lands assessed as benefited, describing such other tracts.

*Fourth.* That some tract, describing the same, is assessed too low according to the benefits received by it. .

*Fifth.* That his lands will not be benefited by the construction of the proposed work.

*Sixth.* That the proposed drainage can not be accomplished without costing more than the aggregate benefits.

*Seventh.* That such drainage will neither improve the public health, benefit the public highway, or be a work of public utility.

*Eighth.* That the plan decided upon is not sufficient to properly drain the lands affected.

*Ninth.* That the plans decided upon should be changed in some manner specifically setting out wherein the same should be changed.

Such remonstrant shall make an affidavit that the facts stated in such remonstrance are true, and that he is interested in such matter, and there shall be filed with such remonstrance a bond, signed by good freehold surety to be approved by the Auditor, promising to pay all costs that may be adjudged against said remonstrant by the court that shall determine such questions and pass final judgment thereon. After the expiration of said twenty (20) days, if a remonstrance and appeal bond have been filed as provided for, the Auditor shall transmit to the Clerk of the Court mentioned in such remonstrance all the papers in said matter, and a copy of the final judgment as entered by the Board of Commissioners in establishing such drainage. After such papers and copy of such proceedings have been filed in such court ten days the same shall stand for trial as an action pending in such court before the Judge thereof, and the same shall be tried without the intervention

of a jury. The petition and report of the Commissioners, together with their judgment thereon, shall be deemed the pleadings upon one side, and the remonstrance the pleadings upon the other. If there be more than one remonstrance in such matter, then all such appeals shall be consolidated and tried together.

On the trial the report of the Commissioners shall be deemed *prima facie* evidence of the facts therein stated, and the burden of proving the same to be erroneous shall rest upon the remonstrants, and they shall have the open and close of such trial, and such court shall have power to modify and equalize the assessments and damages, and assess such damages as all the evidence and facts show to be proper and just, and also have the power to change and modify the plan of constructing such drainage as to it shall seem right, and shall also have the power to cause a new survey to be made of said drainage if necessary, to have a proper understanding of said matter. The court upon determining the issues joined in said matter, shall render such a judgment as it thinks proper, and order its clerk to transmit to the Auditor of said county all the papers filed in said matter, together with a copy of its judgment, and such judgment shall be entered upon the records of said Board of Commissioners, and all papers shall thereafter be preserved by the Auditor of such county.

SEC 8. If no person shall have taken an appeal from the judgment of the Board of Commissioners within the time limited therefor, or if an appeal has been taken, and the same has been determined establishing such drainage, and certified back to the Board of Commissioners, then such Board shall appoint some competent person to superintend the construction of said work, collect the assessment rendered on account thereof, and pay the damage and costs of constructing the same. They shall require such superintendent to give bond in some sum not less than twice the amount of money that may at any one time come into his hands before the proceeds in such matter. The Drainage Commissioner appointed to construct said drainage shall forthwith proceed so to do. He shall give notice of the time and place of letting contract therefor, and the conditions under which the same shall be done, and let the same in such parts, or as a whole, as he may think best for all parties

concerned. He shall pay the costs, damages and expenses ordered to be paid by the Court or Board of Commissioners, the damages assessed and the cost of construction, and the expenses of superintending the same and incident thereto; and that he may have funds so to do, he shall assess upon the lands benefited, ratably upon the amount of benefits as adjudged, such sums of money as may be necessary therefor, not exceeding the sum of benefits so adjudged upon any one tract; and he shall divide such assessments into installments not exceeding ten (10) per cent. of the benefits assessed, to be paid at such times as he shall fix, the first assessment not to become due until after he has given thirty (30) days' notice thereof; the others at intervals of not less than thirty days thereafter. He shall give notice, by one publication in a newspaper published in each of the counties in which the lands benefited are situated, stating the proportion of the benefits to be paid at each time, the times when and the places where the payments are to be made. If such superintendent, in making said assessments, does not demand the full amount of such benefits, and fails to realize sufficient to pay the demands upon him, he may make further assessments and give like notice, the same as if he was making his first call; but in no case shall he collect from any tract more than the benefits assessed. He shall collect the assessments made by him, and pay out the same as herein provided. And for the purpose of making such collections, not paid as above required, he may, if he so determines, bring suit in the name of the State of Indiana for his use as Superintendent of Drainage, in any court of competent jurisdiction to enforce a lien upon any tract or tracts of land for the amount so assessed by him, and all judgments obtained in such cases may include reasonable attorney's fees for services in prosecuting the same, which shall not exceed ten dollars on the first one hundred dollars of any judgment and five per cent. on such sum as shall be in excess of one hundred dollars and not to exceed two hundred dollars and three per cent. on whatever excess there may be over two hundred dollars, and six per cent. interest on said assessments from the time they were due, and such other expenses as are caused by such failure, it being the intention that the property liable shall pay all losses that are caused by failure of the owner thereof to pay the assessments when due, and such judgments shall be without relief



from valuation or appraisement laws. A complaint in such a case shall be sufficient to entitle such Superintendent to have judgment and foreclosure that shall state that certain persons, naming them, filed a petition, stating the date thereof, before the Board of Commissioners; that on such a petition a report was filed by the Board of Commissioners on some day, naming it, assessing the defendants' land, describing it; that the drainage was established by some court on some day, stating the court and day, and adjudged an assessment against said land, stating the amount thereof; that relator was appointed to construct the same; that he made an assessment and declared when the same shall be due, stating the amounts and dates; that he gave notice thereof, stating the paper and the time when publication was made; that the defendants have failed to pay the same, the amount of attorney fees and expenses incurred by such failures; and if any other persons are parties to said action than the owners of said land he need only add an allegation that they claim some interest therein and no exhibit shall be filed therewith of any part of the proceedings and if such complaint be true the court shall order the sale of the property, and the rights of all parties shall be foreclosed thereby.

Or he may make a certificate showing the amount of such assessments against any tract or tracts of land and the default of the owner in making payment as required, and file the same with the Auditor of the county where such lands are situated, and thereupon the Auditor shall place the same on the tax duplicate then in the hands of the County Treasurer, and on which he is collecting taxes, and the same shall be collected by such Treasurer as State and county taxes are collected and paid by him to such Superintendent. All contractors shall give bond, payable to the State of Indiana, for the use of said Superintendent or whosoever may be interested therein, in double the amount of his bid, payable without relief, and attorney fees, for all breaches thereof, conditioned that he will do the work according to contract and that the same shall be finished at the time agreed and that if he fail so to complete the same a penalty for each day that he fails so to do to be deducted from the amount of the contract price or to be paid by him, and that he will pay for all materials and labor used or

employed therein, and such Superintendent, or any other person interested therein, may sue thereon and recover as a breach thereof the damages suffered by him; and if any contractor fails to do his work according to contract, such Superintendent may re-let said work and recover from said contractor any loss that may accrue because thereof, and all additional expenses incurred thereby, or he may pursue any other legal remedy he may have. Such Superintendent shall file reports of his proceedings in such matters at least every six months, showing particularly the amounts of money collected and the amounts paid out by him and on what account, and such a general statement of such matters that the Board of Commissioners may know the condition of such matter. Such Board shall have power to compel said Superintendent to carry on said work according to the judgment establishing the same, and to do such things as will secure prompt, efficient and honest compliance with their orders.

If said Superintendent fail to carry out the orders of said Board, and does not, when requested so to do, give a good excuse for not doing so, he may be removed by such Board, otherwise he shall serve until said work is fully completed and paid for, and be then discharged.

SEC. 4. The Board of Commissioners of each county shall have the authority to repair and clean out all ditches established by the courts of their counties under this and all former laws in this State, and the same shall be accomplished in the following manner: Whenever any person interested in the repairing or the cleaning out of any ditch or drainage, and liable to pay any part of the cost therefor, desires to have the same done, he shall file with the Board of Commissioners a petition, stating that such ditch should be cleaned out or that it requires repairing and cleaning out, the nature of the repairs and places where such ditch or system of drainage should be repaired or cleaned; such repairs may be by deepening, widening or straightening said ditch or ditches, the construction of short branches not to exceed one-half mile in length the substitution of tile for open ditches, the raising of levees or other work that will increase the effectiveness of such drainage at any and all places, but the same shall not be of such a nature as to make a new system of drainage, and the cost of such



additional work must not exceed twenty-five per cent. of the original cost of doing said work, exclusive of the tile placed therein, and the cost of constructing such branches, and such petition shall be, under oath, signed and sworn to by such petitioners.

Upon the filing of a petition asking that a ditch shall be repaired as hereinbefore authorized, as well as being cleaned, or that some ditch should be cleaned out, and it exceeds four miles in length, the Board of Commissioners shall appoint some competent engineer not interested in such work, nor of kin to any person interested therein, who shall examine said ditch, and if necessary make a survey thereof and report whether the cleaning, repairs and changes asked for in such petition should be made, and if so in what manner the same shall be made, and also any particular benefit or damage that will accrue to any person or tract of land, describing it, on account of such repairs or additional work, and the cost of doing the same; and he shall also report the amount of work and the cost thereof that is necessary to restore said ditch to the original plans and specifications that have arisen because of obstructions having been placed in said ditch by any land-owner or tenant, describing the land owned by such person or occupied by such tenant, by their permitting their stock to get into such ditch, and the cost of removing such obstructions, or doing the work that has been made necessary by the act or neglect of such land owner, or his tenant, or the stock of either of them; and, also, the cost and probable expense of cleaning out said ditch, according to the original plans and specifications; and, also, the cost of doing such work of cleaning and repairing combined. Such engineer shall file his report not less than five days before the next regular meeting of such Board of Commissioners, if he can complete the same by such time, if he can not complete his report by that time, then he shall notify the Board of Commissioners of such fact, and then such Board shall fix a time when such report is completed. Such petitioner shall post three notices in each township in public places near the line of such drainage, and deliver a copy thereof to a station agent of all railroad companies whose rights of way are mentioned in the judgment establishing such drainage, and, also, to the trustee of each township in which such drainage, or any part thereof, is

located, in which they shall state the fact that they filed such a petition, and the nature of the repairs or work they desire having done, as stated in such petition; the appointment of the engineer and his name; that his report will be ready for hearing at the next session of the Board of Commissioners. Any person interested in said report, or affected thereby, may file a statement with the Board of Commissioners, on or before the first day of the session, when the same is to be reported to such Board, if time has been given such engineer after such first session, then, on or before the day when the same is to be completed, incorrect or imperfect and any changes that should be made in the assessments of benefits or damages reported by such engineer, and such Board of Commissioners, if they find that notices have been posted and delivered ten days before the first day of such term, and that any objection has been made thereto, shall fix a time when they shall hear such objections, and they shall, on that day, and until they have finally determined said matter, hear evidence on behalf of any person who desires to be heard therein, and make such changes and modifications of such report as they think just and equitable, and enter a judgment as to what repairs and changes should be made in the plans and specifications of such ditch as originally made, and assess against the lands benefited or damaged, the amount of benefits or damages that will be received by it or them by the making of such repairs and against the lands whose owners or tenants have damaged such drainage, the amount thereof, and the original plans and specifications of such ditch shall be modified and changed according to the judgment of such Board of Commissioners as entered, and such judgment shall be final. If the Board of Commissioners in said judgment declares that such cleaning out or cleaning out and repairing should be done, the engineer selected to do such work shall forthwith proceed to have the same done, if only cleaning is desired, then whenever such matter is asked for and the Board finds that such ditch is less than four miles long and should be cleaned, the Board shall appoint a competent person to do such work. If such person shall not be an engineer he shall not receive to exceed two dollars per day, but no expenses; such person authorized to do such work, shall have the power to let contracts to complete such parts, or all of such work as he may deem best. Before

Letting such contract he shall give notice by posting not less than three notices in each township through which said drainage extends, not less than ten days before he lets such contracts, wherein he shall state where and when he shall let such contracts, and the conditions under which he shall require such contracts to be completed, reserving the right to reject all bids. He shall let such work to the lowest bidder and he shall require bond to be given by the contractors in the same form and condition as is required under this act to be given by the contractors who are to construct new ditches.

Upon the completion of such repairs or cleaning out he shall make a report to the Board of Commissioners of the cost thereof, together with his own *per diem* and expenses necessarily incurred by him in doing said work. If the Board of Commissioners are satisfied the amount expended and the costs incurred are correct, they shall approve such report as to such matters and give to the several persons entitled thereto an order on the Treasurer of such county for the amount due to them.

The engineer or person ordered to do such work in making such report shall also state the amount of benefits, if any, that will be received by the various tracts of land on account of the doing of such work other than those fixed by the Board before such work was commenced, and in so doing he shall be governed by the assessments originally made to construct such drainage unless justice and equity require a different basis, in which case he shall give his reason for departing from such basis and fix the assessments as he may think proper and right under all the circumstances. In making such assessments if the work of cleaning has been in part or wholly caused by the washing into said ditches of obstructions, drifts or debris from other lands than those upon which he found the same, he shall state such fact in his report and take the same into consideration and make his assessment in such a manner as will be just and right, and he shall not be limited to the lands assessed for the construction of said ditch, but shall assess all lands that have made such cleaning out necessary, or have been benefited thereby. At that time the Board shall fix a time not less than fifteen days nor more than thirty days thereafter, when they will hear any complaints. As to the amount of benefits as-

sessed by such engineer, and if any land or easement or right of way has been assessed, and the owner thereof has not appeared as a party in said matter before the Board, it shall order the Auditor of such county to cause notice to be given by personal service, three days before such day so fixed upon such owners or the agents of corporations owning such lands or rights, of the filing of such report. Or that such Auditor shall give one notice by publication in some weekly newspaper of such county, published not less than ten days before the day set for hearing the same.

That form of notice to be adopted which said Board shall deem the best and cheapest in that particular case. At the hearing such Board shall hear the evidence of all parties interested, and as soon as practicable determine the matters in controversy and enter judgment accordingly, which judgment shall be final unless the total assessments exceed one thousand dollars, when an appeal may be taken to such courts and upon the same terms as is allowed herein in cases concerning the construction of ditches.

To reimburse the county, the Auditor shall prepare an assessment in the following manner: He shall first assess against the various tracts of land the several amounts of benefits found by the court to accrue to such lands on account of such repairs and changes in the ditch, and also the cost of removing such obstructions therefrom and the extra work made necessary by the act or negligence of the owners of such tracts, or their tenants, or their stock, and in addition thereto the amount of benefits found by the Board to have been received by such tract on account of such cleaning out and assessed against such tract in said proceedings. It shall be his duty to so equalize said amounts by adding to or decreasing the same to that extent that the county shall be repaid the exact sum paid out on the order of the Board of Commissioners on the completion of said work, and he shall also add to said amount charged against the several tracts of land the costs and fees adjudged against, charged to or due from the owner thereof and not payable as a part of the cost of constructing said work, and he shall certify the same to the Treasurer of such county and place such amount on the next tax duplicate he delivers to such County Treasurer; and such Treasurer shall collect the same as he col-

lects other taxes against the owner of such land, and the money when collected shall belong to such county, person or corporation entitled thereto, and said Treasurer shall pay the same and take a receipt therefor.

If such ditch extend into another county, or assessments were originally made against any lands in such counties, then the Auditor of the county where such proceedings were had shall certify the amounts that have been paid out on account of the lands in such other county in the same manner above set forth, and deliver the same to the Auditor of such county, and he shall draw his warrant on the Treasurer of such county for the amount paid out in such matter, for and on account of the lands in such county, and the Treasurer of such county shall pay to the Treasurer of the county where the proceedings were instituted the amount of such warrant or order, and the Auditor of such county shall place the amount assessed against said lands upon the next tax duplicate he delivers to the Treasurer of such county, who shall collect the same from the owners of the land in the same manner that he collects county and State taxes, and such money shall, when so collected, belong to such county.

*And be it further provided,* That at any time after the passage and taking effect of this law any person that has been assessed for the construction of a ditch or system of drainage that does not exceed four miles in length may petition the Board of Commissioners to have the cleaning out thereof reapportioned, and he should file such petition not less than twenty days before some regular meeting of such Board, and he shall post notices in not less than three public places in the township where such ditch or drainage is located and near the line thereof, stating therein the fact that he has filed such petition and that he will ask such Board to apportion the cleaning out of such ditch among the land owners interested therein and affected thereby, and if the Board find that such petition has been filed and notice given, they shall proceed to hear such matter, and upon the evidence of the parties interested therein they shall have the power to reapportion said ditch and allot to those interested therein the portion of the same that should be kept clean by such parties, and said Board may refuse so to do if they think such allotment would work a wrong to any of

the parties interested and, if necessary to the decision of such matter, to have a survey made of the ditch by some competent engineer not interested therein, or next of kin to any person affected thereby, either to ascertain the character and condition of such ditch or to stake out the parts that should be set off to each of said individuals, and in making such allotments they may disregard the original assessments.

Except in so far as it may be evidence to show how much should be allotted to each tract of land, such allotment should be made to each tract of land affected in the proportion that the cleaning out of such ditches shall benefit such particular tract of land, and if the owner of such tract of land shall thereafter keep the same clean no assessment shall be made against his land on account of any cleaning done in said ditch.

*Provided, however,* That if any person who petitions for the cleaning out of any ditch as hereinbefore provided shall state therein that an allotment is not or that any number of the allotments on said ditch are not just and equitable and that the same should be increased or decreased not less than twenty per cent. the issue thus tendered shall be tried and determined by said Board and the same may be in such proceeding reallocated as herein provided if any land owner ask that it be so done. In making such new allotments the Board shall as near as may be place the same where the first allotment was placed and in all cases the allotments shall be upon or as near as can be to the land that it is made the duty to keep such allotment clean.

SEC. 5. The assessments made under this act shall be a first lien on the land benefited and only subject to taxes for State, county and township purposes from the following times: On new ditches established under the petition provided for in this act; from the date when the Board of Commissioners established such drainage, and where ditches are ordered cleaned out or repaired from the date when the same are ordered by the Board of Commissioners and the owner of the land, at such dates, and such lands, shall be liable to pay the amounts that are assessed against them in such report or such amounts as may be finally adjudged against the same as of that date.

SEC. 6. No person shall be permitted to take advantage of any error committed in any proceedings to lay out, construct, clean out or improve any drainage under and by virtue of this

act, nor of any error committed by the Board of Commissioners, or by the County Auditor, Engineer or other person or persons in the proceedings, to lay out, construct, clean out or improve any such drainage, nor of any informality, error or defect appearing in the record of such proceedings unless the party complaining is directly affected thereby. And this act shall be liberally construed to the end that such improvements be made in the cases provided for, and that the lands benefited pay therefor.

SEC. 7. When the nature of the work requires the employment of a civil engineer, the Surveyor of such county, or any other competent engineer, may be employed to do such work, neither shall be authorized to appoint a deputy to do any act requiring the exercises of judgment, such surveyor or engineer shall deposit with such Board of Commissioners all notes taken by him and all estimates and specifications made by him in said ditch matters; such notes, estimates and specifications, if made by the County Surveyor, shall be certified by him to be correct; if made by any other person, such person shall attach his affidavit to the like effect, which, if they fail so to do, they shall receive no pay therefor. Such surveyor or engineer shall have authority to employ such rod men, chain carriers and axe men as are necessary to make the surveys provided for herein. Such notes and reports shall be in the custody of the Auditor of such county and open to the inspection of all persons interested at any time.

#### COST AND EXPENSES.

SEC. 8. The same fees and charges shall be taxed as costs in drainage proceedings as are taxed in similar matters and proceedings in the Circuit Court. If any petition or remonstrance be dismissed or adjudged to have been improperly or illegally filed or made, or any issue be made by any remonstrance and the same is decided wholly adversely to such remonstrant, the costs occasioned thereby shall be taxed and adjudged against the person making or filing the same. If a remonstrance is filed to any assessment of damages or benefits, and the same is not changed twenty (20) per cent. in favor of the remonstrant, such remonstrant shall pay the costs of the hearing had thereon. In all other cases the costs shall be deemed a part of the expenses of doing such work, and paid in the same manner as the

construction thereof is paid. The petitioners in all proceedings herein mentioned shall have the right to employ an attorney to prepare the petitions and reports herein mentioned, and present the same to the several courts hearing the same, and a reasonable fee therefore shall be allowed by such court and taxed and paid as a part of the expense of constructing such work, if the same be decided in favor of such petitioners. The County Surveyor or Civil Engineer shall receive three dollars per day and his actual traveling expenses; the chainmen and axmen one dollar and twenty-five cents per day and no expenses, and the rodmen one dollar and fifty cents per day, but no expenses. Should such rodmen, chainmen or axmen be interested in such work they shall receive no pay for their services. And such service and expense shall be paid by the county (unless otherwise provided for in this act, in which case they shall be paid as provided for in this act), but only after the Board of Commissioners have examined and allowed the bills therefor; and all such bills shall state specifically the date and character of the expense incurred, and the time of service charged for in each item; and shall further state that such services were necessary and actually rendered, and such expense actually and necessarily incurred; that such claimant has not charged or received pay from said county or any person for any of the time or for any of the expenses mentioned in said bill, and will not so do; such bill shall be verified by such claimant and certified to by the engineer who required such service as being correct. Any person interested may appear before such Board and contest any such allowance, and if it be shown that the same is incorrect only what is right shall be allowed and paid.

SEC. 9. The Board of Commissioners shall procure all books and stationery necessary for their use, and all papers, books and records pertaining to such matter shall be kept by the Auditor of such county. The Auditor of the county shall be their clerk and have charge thereof, and he shall copy in substantial books all reports made by them, petitions and papers filed with such Board of Commissioners when directed so to do, so that from the records of their office their successors and the public may know what has been done in all drainage matters. The Board of Commissioners shall procure from other



officers and courts all papers and copies of such records as will enable it to pass upon and decide what shall be done in the several matters brought before it; and it shall be the duty of all officers having reports, papers or notes relating to the construction of the drainage heretofore established to deliver the same to such Auditor on demand, and the same shall be kept by such Auditor, subject to examination by all parties interested herein; and in every matter where drainage is established or ordered repaired or cleaned, and lands are assessed to pay therefor that are situated in other counties than the county where the petition therefor was filed, then, and in all such cases, the Drainage Commissioners in charge of such work shall transmit by mail a copy of the assessment of such land and that part of the plans and specifications of such drainage as will fully show what is to be done in such other county to the Auditor of the county where such lands are situated, who shall acknowledge the receipt thereof and copy the same into the drainage records of such county.

SEC. 10. All drainage laws now in force in this State shall be and are hereby repealed: *Provided, however,* That all proceedings now pending for the establishment of ditches and drains shall be prosecuted until completion under and according to the laws now in force, and all rights and privileges that have or would hereafter accrue to any person or corporation shall be deemed to have been saved, unless the same be in conflict with the terms of this act, in which case the same shall be governed by the provisions of this act.

SEC. 11. Whereas, an emergency exists for the immediate making effect of this act, the same shall be in force and effect from and after its passage.

Which report was concurred in.

Senate Bill No. 212 was read the third time.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Collett, Cranor, Duncan, Gifford, Gostlin, Haggard, Holler,

construction thereof is paid. The petitioners in all proceedings herein mentioned shall have the right to employ an attorney to prepare the petitions and reports herein mentioned, and present the same to the several courts hearing the same, and a reasonable fee therefore shall be allowed by such court and taxed and paid as a part of the expense of constructing such work, if the same be decided in favor of such petitioners. The County Surveyor or Civil Engineer shall receive three dollars per day and his actual traveling expenses; the chainmen and axmen one dollar and twenty-five cents per day and no expenses, and the rodmen one dollar and fifty cents per day, but no expenses. Should such rodmen, chainmen or axmen be interested in such work they shall receive no pay for their services. And such service and expense shall be paid by the county (unless otherwise provided for in this act, in which case they shall be paid as provided for in this act), but only after the Board of Commissioners have examined and allowed the bills therefor; and all such bills shall state specifically the date and character of the expense incurred, and the time of service charged for in each item; and shall further state that such services were necessary and actually rendered, and such expense actually and necessarily incurred; that such claimant has not charged or received pay from said county or any person for any of the time or for any of the expenses mentioned in said bill, and will not so do; such bill shall be verified by such claimant and certified to by the engineer who required such service as being correct. Any person interested may appear before such Board and contest any such allowance, and if it be shown that the same is incorrect only what is right shall be allowed and paid.

SEC. 9. The Board of Commissioners shall procure all books and stationery necessary for their use, and all papers, books and records pertaining to such matter shall be kept by the Auditor of such county. The Auditor of the county shall be their clerk and have charge thereof, and he shall copy in substantial books all reports made by them, petitions and papers filed with such Board of Commissioners when directed so to do, so that from the records of their office their successors and the public may know what has been done in all drainage matters. The Board of Commissioners shall procure from other

officers and courts all papers and copies of such records as will enable it to pass upon and decide what shall be done in the several matters brought before it; and it shall be the duty of all officers having reports, papers or notes relating to the construction of the drainage heretofore established to deliver the same to such Auditor on demand, and the same shall be kept by such Auditor, subject to examination by all parties interested therein; and in every matter where drainage is established or ordered repaired or cleaned, and lands are assessed to pay therefor that are situated in other counties than the county where the petition therefor was filed, then, and in all such cases, the Drainage Commissioners in charge of such work shall transmit by mail a copy of the assessment of such land and that part of the plans and specifications of such drainage as will fully show what is to be done in such other county to the Auditor of the county where such lands are situated, who shall acknowledge the receipt thereof and copy the same into the drainage records of such county.

SEC. 10. All drainage laws now in force in this State shall be and are hereby repealed: *Provided, however,* That all proceedings now pending for the establishment of ditches and drains shall be prosecuted until completion under and according to the laws now in force, and all rights and privileges that have or would hereafter accrue to any person or corporation shall be deemed to have been saved, unless the same be in conflict with the terms of this act, in which case the same shall be governed by the provisions of this act.

SEC. 11. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in force and effect from and after its passage.

Which report was concurred in.

Senate Bill No. 212 was read the third time.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Collett, Cranor, Duncan, Gifford, Gostlin, Haggard, Holler,

Humphreys, Johnston, Kern or Marion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McManus, Mull, Newby, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Watson, Wray. Total, 37.

Senators Houghton and O'Brien voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senate Bill No. 21 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Barnes, Beek, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, Wray. Total, 44.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title to the act?

It was so ordered.

Senate Bill No. 112 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Beck, Bird, Boyd, Gifford, Johnston, Kern of Marion, McCord, McLean, Parker, Rinear, Seller, Stuart, Sweeney. Total, 13.

Those voting in the negative were:

Senators Baker, Barnes, Bethell, Bozeman, Collett, Crum-packer, Duncan, Ellison, Gostlin, Haggard, Holler, Houghton,

Humphreys, Kerns of Vermillion, LaFollette, Leyden, McCutchan, McDonald, McHugh, McKelvey, McManus, Mull, Newby, O'Brien, Phares, Schleck, Self, Shiveley, Vail, Watson, Wray. Total, 81.

So the bill failed to pass.

Senate Bill No. 115 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Boyd, Kern of Marion, McManus, Parker, Shiveley, Stuart. Total, 6.

Those voting in the negative were:

Senators Baker, Barnes, Beck, Bethell, Boord, Collett, Cranor, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, O'Brien, Rinear, Schneck, Self, Seller, Sweeney, Vail, Watson, Wray. Total, 85.

So the bill failed to pass.

Senate Bill No. 147 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Bethell, Boord, Boyd, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, Wray. Total, 88.

Senator Barnes voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senate Bill No. 69 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Barnes, Bethell, Bird, Boord, Boyd, Collett, Cranor, Crumpacker, Gifford, Houghton, Humphreys, Johnston, Kern of Marion, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Parker, Phares, Ringar, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Watson, Wray. Total, 32.

Those voting in the negative were:

Senators Kerns of Vermillion, LaFollette, Newby, O'Brien, Vail. Total, 5.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senate Bill No. 142 was read the second time.

Senator Stuart moved that the constitutional rule requiring bills to be read upon three several days be suspended, the bill considered engrossed, and read the third time by sections and placed upon its passage.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were:

Senators Baker, Barnes, Beck, Bethell, Bird, Boyd, Cranor, Crumpacker, Duncan, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, Wray. Total, 41.

None voting in the negative.

So the constitutional rule was suspended, the bill was considered engrossed, read the third time by sections and placed upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Barnes, Beck, Bethell, Bird, Boyd, Cranor, Crumpacker, Duncan, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McDonald, McKelvey, McLean, McManus, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, Wray.  
Total, 38.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 459 and 810, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 459:

A bill for an act concerning public libraries.

Read the first time and referred to the Committee on Affairs of the City of Indianapolis.

Engrossed House Bill No. 310 :

An act to legalize the incorporation of the town of Summitville, Madison County, Indiana, the elections and qualifications of its boards of trustees and other officers, and all acts, orders, ordinances, resolutions, by-laws, minutes and proceedings of the Board of Trustees of said town, and other matters connected therewith, and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

Senator Ellison introduced Senate Bill No. 379, entitled :

A bill for an act supplemental to existing laws for the drainage of wet lands, relating to the method of procedure of assessment, payment and collection of the cost and expenses incurred in such proceedings and the cost of constructing such work in certain cases, fixing the duties of certain officers in connection therewith, and prescribing penalties for the violation of its provisions.

Read the first time and referred to the Committee on Swamp Lands and Drains.

Senate Bill No. 205 was read the third time.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Baker, Barnes, Beck, Bethell, Bird, Boord, Collett, Cranor, Duncan, Ellison, Gifford, Gostlin, Holler, Houghton, Humphreys, Johnston, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Watson, Wishard, Wray. Total, 40.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.



Senate Bill No. 181 was read the third time.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Baker, Barnes, Beck, Bethell, Bird, Boyd, Boze-  
man, Collett, Cranor, Duncan, Ellison, Gifford, Gostlin, Hag-  
gard, Holler, Houghton, Humphreys, Johnston, Kern of Marion,  
Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan,  
McDonald, McHugh, McLean, McManus, Mull, Newby,  
O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shive-  
ley, Stuart, Sweeney, Vail, Watson, Wray, Wishard. Total,  
44.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the  
act.

House Bill No. 21 was read the third time.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Barnes, Beck, Bethell, Bird, Boord, Boyd, Boze-  
man, Collett, Cranor, Duncan, Ellison, Gifford, Gostlin, Hag-  
gard, Holler, Houghton, Humphreys, Johnston, Kerns of Ver-  
million, LaFollette, Leyden, McCord, McDonald, McHugh,  
McManus, Mull, Newby, Parker, Phares, Rinear, Schneck,  
Self, Seller, Shiveley, Stuart, Sweeney, Watson, Wishard,  
Wray. Total, 39.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the  
act.

Senate Bill No. 87 was read the third time.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Barnes, Beck, Bethell, Bird, Boord, Boyd, Boze-  
man, Collett, Cranor, Duncan, Ellison, Haggard, Holler, Hum-  
phreys, Johnston, Kern of Marion, Kerns of Vermillion, Ley-  
den, McCord, McCutchan, McDonald, McHugh, McLean,  
McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear,  
Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Watson, Wish-  
ard, Wray. Total, 39.

Senators Houghton and LaFollette voting in the negative.

So the bill passed.

Senator Seller made the following motion:

MR. PRESIDENT:

I move to amend the title of Senate Bill No. 87 by adding  
thereto the words "and other matters relating thereto."

SELLER.

Which motion prevailed.

The title of the bill as amended was ordered to stand as the  
title to the act.

Senate Bill No. 233 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Barnes, Beck, Bethell, Bird, Boord, Boyd, Collett,  
Cranor, Crumpacker, Duncan, Ellison, Gifford, Houghton,  
Kern of Marion, Kerns of Vermillion, LaFollette, McCord,  
McCutchan, McDonald, McHugh, McLean, McManus, Mull,  
Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller,  
Shiveley, Stuart, Sweeney, Vail, Watson, Wishard, Wray.  
Total, 38.

Senator Humphreys voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the  
act.

Senate Bill No. 148 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Barnes, Beck, Bethell, Boord, Boyd, Collett, Duncan, Ellison, Gifford, Gostlin, Holler, Houghton, Kerns of Vermillion, LaFollette, Leyden, McCord, McDonald, McHugh, McLean, McManus, Mull, Newby, O'Brien, Phares, Rinear, Schneck, Self, Seller, Shiveley, Vail, Watson, Wishard. Total, 32.

Those voting in the negative were :

Senators Bird, Humphreys, Johnston, Parker, Sweeney, Stuart, Wray. Total, 7.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senate Bill No. 318 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McDonald, McHugh, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, Wishard, Wray. Total, 42.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The hour of 8 o'clock having arrived, the consideration of Senate Bill No. 219, which was made a special order for this hour, was now taken up.

Senator Cranor moved that the further consideration of Senate Bill No. 219 be indefinitely postponed.

Which motion prevailed.

Senator Wishard moved that House Bill No. 32 be taken up in its stead.

Which motion prevailed.

Senator O'Brien, Chairman of the Committee on Cities and Towns, made the following report:

MR. PRESIDENT:

Your committee, to which House Bill No. 32 was referred, respectfully begs leave to report the same back to the Senate, with the following recommendations:

They recommend that section 1 of said act be amended by adding thereto the following proviso, to wit: *Provided, That* the provisions of this act shall apply to all of the cities of this State containing a population of not less than thirty thousand according to the United States census of 1890, and maintaining a regularly organized and paid fire department, and that in all such cities a Board of Trustees of the Firemen's Pension Fund is hereby established, and that this act shall apply to all other cities of this State which maintain a regularly organized and paid fire department in case the Common Council of any such city shall elect to establish a Board of Trustees of the Firemen's Pension Fund, and if any such city elects to establish such Board its Common Council shall adopt an ordinance or resolution establishing such Board, and upon the adoption of such ordinance or resolution this act shall apply to and govern such city.

Your committee recommends that section 11 of said act be amended by striking out after the words "upon retirement.

with disability during service" the following words, "fifty dollars per month," and inserting in lieu thereof the words "not less than twenty-five dollars nor more than fifty dollars per month." That section 11 of said act be further amended by striking out after the words "monthly from the Pension Fund" the words "forty dollars per month," and inserting in lieu thereof the words "not less than twenty dollars per month nor more than forty dollars per month." That section 11 be still further amended as follows: By striking out after the words "after having served not less than twenty years" the following words, "he shall receive thirty dollars per month," and inserting in lieu thereof the following words, "he shall receive not less than fifteen dollars nor more than thirty dollars per month."

And that the bill, when so amended, do pass.

JAMES O'BRIEN,  
Chairman.

Which report was concurred in.

The bill was read the second time.

Senator Ellison offered Amendment No. 1, as follows:

MR. PRESIDENT:

I move to amend section 2 of House Bill No. 32 by striking out the word six in line 4 and inserting in its place nine.

And also by inserting after the word Board, in line 9, these words:

On taking effect of this act the Mayor of said city shall appoint three reputable citizens, not firemen of such city, as trustees; one shall serve one year, one two years, one for three years, and at the expiration of their term of office the Mayor shall appoint a successor to the trustee whose term of office has expired, and he shall serve three years. In case of a vacancy in such trustee's office the Mayor shall appoint a successor for the remainder of the term in which vacancy exists.

ELLISON.

Which amendment was rejected.

Senator Ellison offered Amendment No. 2, as follows:

MR. PRESIDENT:

I move to amend section 11 of House Bill No. 32, by inserting after the words "any member of such paid fire department who has been in the service of said fire department twenty-five years," the words and who is at such time not less than sixty years of age.

ELLISON.

Which amendment was rejected.

Senator Ellison offered Amendment No. 3, as follows:

MR. PRESIDENT:

I move to amend section — of House Bill No. 32, substituting the word "fifty" for the word thirty in reference to the number of persons who shall reside in such city before the act shall become obligatory upon such city.

Which amendment was rejected.

Senator McHugh offered Amendment No. 4, as follows:

MR. PRESIDENT:

I move to strike out the words brothers and sisters wherever such word occurs in this bill.

McHUGH.

Senators McHugh and Ellison demanded the ayes and noes.

Those voting in the affirmative were:

Senators Barnes, Beck, Bird, Boyd, Bozeman, Collett, Houghton, LaFollette, McCutchan, McHugh, Mull, Newby, Parker, Rinear, Seller, Vail. Total, 16.

Those voting in the negative were:

Senators Baker, Crumpacker, Duncan, Gifford, Gostlin, Haggard, Holler, Humphreys, Kern of Marion, Kerns of Vermilion, Leyden, McDonald, McLean, O'Brien, Self, Shiveley, Stuart, Sweeney, Watson, Wishard, Wray. Total, 21.

So the amendment was lost.

Senator Ellison offered Amendment No. 5, as follows :

MR. PRESIDENT :

I move to amend section 11 of House Bill No. 32 by inserting after the words at the end of said section : *Provided*, That no person under fifty-five years of age can retire of his own motion and receive such sum of forty dollars per month.

ELLISON.

Which amendment was rejected.

Senator Cranor moved that the constitutional rule requiring bills to be read on three several days be suspended, that the bill be read the third time by sections and placed upon its passage.

The question being upon the suspension of the constitutional rule.

Those voting in the affirmative were :

Senators Baker, Barnes, Beck, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gifford, Haggard, Holler, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McLean, Mull, O'Brien, Parker, Rinear, Self, Shiveley, Stuart, Sweeney, Vail, Watson, Wishard, Wray. Total, 86.

Senators Bird, Ellison and Seller voting in the negative.

So the constitutional rule was suspended and the bill read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Cranor, Crumpacker, Duncan, Gifford, Gostlin, Haggard, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McLean, McManus, Mull, O'Brien, Parker, Rinear, Schneck, Self, Shiveley, Stuart, Sweeney, Vail, Watson, Wishard, Wray. Total, 88.

Those voting in the negative were :

Senators Ellison, Holler, McHugh and Seller. Total, 4.

So the bill passed.

The title of the bill was ordered to stand as the title of the act.

On motion of Senator Vail the Senate adjourned.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.

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#### THURSDAY MORNING.

FEBRUARY, 14, 1895.

The Senate convened at 10 o'clock with Lieutenant-Governor Nye in the chair.

After the reading of a portion of the Journal, on motion of Senator McDonald the further reading of the same was dispensed with.

Senate Bill No. 186 was read the third time.

The question being, Shall the bill pass?

The roll was called, and resulted as follows :

Those voting in the affirmative were :

Senators Baker, Barnes, Beck, Bethell, Bird, Boyd, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, Wray. Total, 41.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.



Senate Bill No. 24 was read the third time.

The question being, Shall the bill pass?

The roll was called which resulted as follows:

Those voting in the affirmative were:

Senators Baker, Beck, Bethell, Bird, Collett, Cranor, Duncan, Gifford, Gostlin, Holler, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, Leyden, McCord, McCutchan, McDonald, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, Wray. Total, 36.

None voting in the negative.

So the bill passed.

The question being, Shall the title of the bill stand as the title to the act.

It was so ordered.

Senator Haggard, Chairman of the Committee on Finance, made the following report:

MR. PRESIDENT:

Your Committee on Finance, to which was referred Engrossed House Bill No. 883, introduced by Mr. Remy, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

HAGGARD,  
Chairman.

Which report was concurred in.

Senator Parker moved that the bill be ordered printed and that it be made a special order for Monday, February 18.

Which motion prevailed.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 339, introduced by Senator McDonald, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 259, introduced by Senator Shiveley, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

The Committee on Judiciary made the following reports :

MR. PRESIDENT :

A majority of your Committee on Judiciary, to which was referred Senate Bill No. 135, introduced by Senator Shiveley, begs leave to report the same back to the Senate with the recommendation that further consideration of the same be indefinitely postponed.

L. P. NEWBY,  
Chairman.

MR. PRESIDENT :

A minority of your Committee on Judiciary, to which was referred Senate Bill No. 135, introduced by Senator Shiveley, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

CHAS. E. SHIVELEY,  
J. J. M. LAFOLLETTE.

Senator Shiveley moved that the minority report be substituted for the majority report.

Which motion was lost.

The majority report was then adopted.

Senator Haggard, Chairman of the Committee on Finance, made the following report:

MR. PRESIDENT:

Your committee, to which was referred Senate Bill No. 370, introduced by Senator Leyden, recommends that said bill do pass.

HAGGARD,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 330, introduced by Senator LaFollette, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 313, introduced by Senator Parker, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 328, introduced by Senator McCutchan, begs leave to report the same back to the Senate with the recommendation that the same be referred to the Committee on Corporations.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 248, introduced by Senator Seller, begs leave to report the same back to the Senate with the recommendation that further consideration of the same be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 385, introduced by Senator Phares, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 299, introduced by Senator Johnson, begs leave to report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 887, introduced by Senator Wray, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 295, introduced by Senator O'Brien, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. , introduced by Senator , begs leave to report the same back to the Senate with the recommendation that it be referred to the Committee on Corporations.

NEWBY.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 809, introduced by Senator Barnes, begs leave to report the same back to the Senate with the recommendation that the same be referred to the Committee on Elections.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 116, introduced by Senator Stuart, begs leave to report the same back to the Senate, with the recommendation that further consideration of the same be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 182, introduced by Senator Shiveley, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 251, introduced by Senator Gifford, begs leave to report the same back to the Senate, with the recommendation that the bill be printed.

H. C. DUNCAN,  
Chairman.

The report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 126, introduced by Senator McLean, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

H. C. DUNCAN,  
Chairman.

The report was concurred in.

The Committee on Education made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 9<sup>th</sup>, introduced by Senator Duncan, begs leave to report the same back to the Senate, with the recommendation that the bill be indefinitely postponed.

McCutchan.

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 132, introduced by Senator McLean, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

H. C. DUNCAN,  
Chairman.

The report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was recommitted Engrossed Senate Bill No. 109, introduced by Senator McLean, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

H. C. DUNCAN,  
Chairman.

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 264, introduced by Senator Duncan, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

H. C. DUNCAN,  
Chairman.

The report was concurred in.



The Committee on Education submitted the following reports:

MR. PRESIDENT:

The majority of your Committee on Education, to which was referred Senate Bill No. 311, introduced by Senator Newby, begs leave to report the same back to the Senate, with the recommendation that it be indefinitely postponed.

McCUTCHAN,  
GIFFORD,  
McLEAN.

MR. PRESIDENT:

The minority of your Committee on Education, to which was referred Senate Bill No. 311, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

H. C. DUNCAN,  
Chairman,  
THOMAS K. MULL,  
W. D. HAGGARD.

Senator Newby moved that the minority report be substituted for the majority report.

Senators Newby and Duncan demanded the ayes and noes.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kerns of Vermillion, LaFollette, Leyden, McCord, McDonald, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Vail, Wray. Total, 40.

Those voting in the negative were:

Senators Kern of Marion, McCutchan, Stuart, Sweeney. Total, 4.

So the minority report was substituted for the majority report.

The minority report was then concurred in.

Senators Schneck, Kerns, McManus, Baker, Self, McHugh, Stuart, Boyd, Humphreys, Beck, Barnes, Duncan, O'Brien, Mull, Kern, Cranor and Watson presented petitions asking for the passage of Senate Bill No. 311.

Referred to the Committee on Education.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 225, introduced by Senator McDonald, would report they have had the same under consideration, and recommend the same be printed.

H. C. DUNCAN,  
Chairman.

The report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 373, introduced by Senator Shiveley, begs leave to report the same back to the Senate, with the recommendation that the bill be printed.

H. C. DUNCAN,  
Chairman.

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 377, introduced by Senator Duncan, begs leave to report the same back to the Senate with the recommendation that, owing to the advanced stage of the session, the committee deemed any legislation on this subject an inexpediency.

H. C. DUNCAN,  
Chairman.

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report :

MR. PRESIDENT :

Your committee to which was referred Senate Bill No. 164, introduced by Senator Shiveley, would report they have had the same under consideration and would recommend the same do pass.

H. C. DUNCAN,  
Chairman.

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report :

MR. PRESIDENT :

Your Committee on Education, to which was referred Senate Bill No. 17, introduced by Senator Houghton, would report they took the same under consideration and would recommend the same be indefinitely postponed.

H. C. DUNCAN,  
Chairman.

Which report was concurred in.

The Committee on Fees and Salaries made the following report :

MR. PRESIDENT :

Your Committee on Fees and Salaries, to which was referred Senate Bill No. 851, introduced by Senator Cranor, would report that they have had the same under consideration and recommend the same be printed.

DUNCAN,  
For the Committee.

Which report was concurred in.

Senator Shiveley, Chairman of the Committee on Organization of Courts, made the following report:

MR. PRESIDENT:

Your Committee on Organization of Courts, to which was referred House Bill No. 64, introduced by Mr. Garriott, begs leave to report the same back to the Senate with the recommendation that the same do pass.

CHAS. E. SHIVELEY,  
Chairman.

Which report was concurred in.

Senator Shiveley moved that the constitutional rule requiring bills to be read on three several days be suspended, the bill read a second time by title, and the third time by sections now.

The question being on the suspension of the constitutional rule.

The role was called, which resulted as follows:

Those voting in the affirmative were:

Senators Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneek, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, Wishard, Wray. Total, 45.

None voting in the negative.

So the constitutional rule was suspended, the bill was read the second time by title and the third time by sections, and placed upon its passage now.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Baker, Barnes, Bethell, Bird, Boord, Boyd, Bozeman, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan,

McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, Wray. Total, 43.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senator Shiveley, Chairman of the Committee on Organization of Courts, made the following reports:

MR. PRESIDENT:

A majority of your Committee on Organization of Courts, to which was referred Senate Bill No. 237, introduced by Senator Vail, begs leave to report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

CHAS. E. SHIVELEY,  
Chairman.

MR. PRESIDENT:

A minority of your Committee on Organization of Courts, to which was referred Senate Bill No. 237, introduced by Senator Vail, begs leave to report the same back to the Senate, with the recommendation that the said bill do pass.

ISAAC H. PHARES.

Senator Vail moved that Senate Bill No. 237 be printed and made a special order for February 26, 1895.

The motion was lost.

The majority report was concurred in.

Senator Shiveley, Chairman of the Committee on Organization of Courts, made the following report:

MR. PRESIDENT:

Your Committee on Organization of Courts, to which was referred Senate Bill No. 265, introduced by Senator Duncan, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

CHAS. E. SHIVELEY,  
Chairman.

The report was concurred in.

Senator Shiveley, Chairman of the Committee on Organization of Courts, made the following reports :

MR. PRESIDENT :

A majority of your Committee on Organization of Courts, to which was referred Senate Bill No. 306, introduced by Senator McCutchan, begs leave to report the same back to the Senate, with the recommendation that the same do not pass.

CHAS. E. SHIVELEY,  
Chairman.

MR. PRESIDENT :

A minority of your Committee on Organization of Courts, to which was referred Senate Bill No. 306, introduced by Senator McCutchan, begs leave to report the same back to the Senate, with the recommendation that the bill do pass.

STUART.

The question being, Shall the minority report be substituted for the majority report?

Senators McCutchan and Stuart demanded the ayes and noes.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Baker, Boord, Bozeman, Cranor, Crumpacker, Haggard, Leyden, McCord, McCutchan, McHugh, O'Brien, Parker, Stuart, Vail, Watson, Wray. Total, 16.

Those voting in the negative were :

Senators Beck, Bethell, Collett, Duncan, Ellison, Gifford, Gostlin, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, McLean, Mull, Newby, Phares, Rinear, Schneck, Self, Seller, Shiveley, Sweeney. Total, 24.

So the minority report was not substituted for the majority report.

The majority report was concurred in.

Senator Kerns, Chairman of the Committee on Roads, made the following report:

MR. PRESIDENT:

Your Committee on Roads, to which was referred Senate Bill No. 861, introduced by Senator Seller, begs leave to report the same back to the Senate, with the recommendation that the bill do pass.

W. F. KERNS,  
Chairman.

The report was concurred in.

Senator Boord, Chairman of the Committee on Corporations, made the following report:

MR. PRESIDENT:

Your Committee on Corporations, to which was referred Senate Bill No. 25, introduced by Senator Kern, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

BOORD,  
Chairman.

The report was concurred in.

Senator Boord, Chairman of the Committee on Corporations, made the following report:

MR. PRESIDENT:

Your Committee on Corporations, to which was referred House Bill No. 101, introduced by Mr. H. C. Pettit, begs leave to report the same back to the Senate, with the recommendation that it be passed.

BOORD,  
Chairman.

The report was concurred in.

Senator Holler, Chairman of the Committee on Agriculture, made the following report:

MR. PRESIDENT:

Your Committee on Agriculture, to which was referred Senate Bill No. 353, introduced by Senator Haggard, begs leave to report the same back to the Senate, with the recommendation that the bill do pass.

C. HOLLER,  
Chairman.

The report was concurred in.

Senator Holler, Chairman of the Committee on Agriculture, made the following report:

MR. PRESIDENT:

Your Committee on Agriculture, to which was referred Senate Bill No. 271, introduced by Senator Parker, begs leave to report the same back to the Senate, with the recommendation that the bill do pass.

C. HOLLER,  
Chairman.

Which report was concurred in.

Senator Boyd, Chairman of the Committee on Benevolent Institutions, made the following report:

MR. PRESIDENT:

Your Committee on Benevolent Institutions begs leave to submit the following report on Senate Bill No. 267, introduced by Senator Haggard: We most respectfully recommend that the bill do pass.

THOS. E. BOYD,  
Chairman.

The report was concurred in.



Senator Boyd, Chairman of the Committee on Benevolent Institutions, made the following report:

MR. PRESIDENT:

We, your Committee on Benevolent Institutions, have had under consideration Senate Bill No. 202, introduced by Senator William E. McLean, most respectfully begs leave to report that the same be printed and laid on the table of each Senator.

Respectfully submitted,  
THOS. E. BOYD,  
Chairman Com. on Benevolent Inst.

The report was concurred in.

Senator Boyd, Chairman of the Committee on Benevolent Institutions, made the following report:

MR. PRESIDENT:

Your Committee on Benevolent Institutions, to which was referred Senate Bill No. 171, introduced by Senator Shiveley, begs leave to report the same back to the Senate with the recommendation that it be printed.

THOS. E. BOYD,  
Chairman.

The report was concurred in.

Senator Boyd, Chairman of the Committee on Benevolent Institutions, made the following report:

MR. PRESIDENT:

Your Committee on Benevolent Institutions, to which was referred Senate Bill No. 28, introduced by Senator Shiveley begs leave to report the same back to the Senate with the recommendation that it do not pass.

THOS. E. BOYD,  
Chairman.

Which report was concurred in.

Senator Self, Chairman of the Committee on Public Printing, made the following report :

MR. PRESIDENT :

Your Committee on Public Printing, to which was referred Senate Bill No. 107, introduced by Senator McDonald, begs leave to report the same back to the Senate with the recommendation that the same do pass.

GEO. W. SELF,  
Chairman.

The report was concurred in.

Senator Bozeman, Chairman of the Committee on Banks, made the following report :

MR. PRESIDENT :

Your Committee on Banks, to which was referred Senate Bill No. 378, introduced by Senator Crumpacker, begs leave to report the same back to the Senate with the recommendation that the same be printed.

VIRGIL P. BOZEMAN,  
Chairman.

The report was concurred in.

Senator Bozeman, Chairman of the Committee on Banks, made the following report :

MR. PRESIDENT :

Your Committee on Banks, to which was referred Senate Bill No. 116, introduced by Senator Stuart, begs leave to report the same back to the Senate with the recommendation that it be indefinitely postponed.

V. P. BOZEMAN,  
Chairman.

Which report was concurred in.

Senator Bozeman, Chairman of the Committee on Banks, made the following report :

MR. PRESIDENT :

Your Committee on Banks, to which was referred Senate Bill No. 369, introduced by Senator McCord, begs leave to report the same back to the Senate with the recommendation that it be passed.

VIRGIL P. BOZEMAN,  
Chairman.

The report was concurred in.

Senator McCord, Chairman of the Committee on State Library and Public Buildings, made the following report :

MR. PRESIDENT :

Your Committee on State Library and Public Buildings, to which was referred Senate Bill No. 327, after having examined said bill, recommend that section 19 be amended by adding thereto "And one janitor, whose salary shall not be to exceed six hundred dollars."

And that section 24 be stricken out, and that when so amended that said bill do pass.

W. E. McCORD,  
Chairman.

Which report was concurred in.

Senator Gostlin, Chairman of the Committee on Federal Relations and Rights and Privileges of the Inhabitants of the State, made the following report :

MR. PRESIDENT :

Your Committee on Federal Relations and Rights and Privileges of the Inhabitants of the State, to which was referred House Bill No. 28, introduced by Representative Crozier, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

GOSTLIN,  
Chairman.

The report was concurred in.

Senator Gostlin, Chairman of the Committee on Federal Relations and Rights and Privileges of the Inhabitants of the State, made the following report :

MR. PRESIDENT :

Your Committee on Federal Relations and Rights and Privileges of the Inhabitants of the State, to which was referred a petition, addressed to the General Assembly of the State of Indiana, by William Brunker, begs leave to report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

GOSTLIN,  
Chairman.

The report was concurred in.

Senator Gostlin, Chairman of the Committee on Federal Relations and Rights and Privileges of the Inhabitants of the State, made the following report :

MR. PRESIDENT :

Your Committee on Federal Relations and Rights and Privileges of the Inhabitants of the State, to which was referred Senate Bill No. 350, introduced by Senator Barnes, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

GOSTLIN,  
Chairman.

Which report was concurred in.

Senator Gostlin, Chairman of the Committee on Federal Relations and Rights and Privileges, made the following report :

MR. PRESIDENT :

Your Committee on Federal Relations and Rights and Privileges of the Inhabitants of the State, to which was referred a certain memorial, introduced by Senator McLean, begs leave to report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

GOSTLIN,  
Chairman.

The report was concurred in.

Senator Gostlin, Chairman of the Committee on Federal Relations and Rights and Privileges, made the following report:

MR. PRESIDENT:

Your Committee on Federal Relations and Rights and Privileges of the Inhabitants of the State, to which was referred Senate Bill No. 241, introduced by Senator McLean, begs leave to report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

GOSTLIN,  
Chairman.

The report was concurred in.

Senator Gostlin, Chairman of the Committee on Federal Relations and Rights and Privileges, made the following report:

MR. PRESIDENT:

Your Committee on Federal Relations and Rights and Privileges of the Inhabitants of the State, to which was referred a Concurrent Resolution, relative to the election of United States Senators by a direct vote of the people, begs leave to report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

GOSTLIN,  
Chairman.

Senator Humphreys moved that the report be not concurred in.

The roll being called, it resulted as follows:

Those voting in the affirmative were:

Senators Barnes, Beck, Bethell, Bird, Bozeman, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, Leyden, McDonald, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Sweeney, Wishard, Wray and the President of the Senate. Total, 28.

Those voting in the negative were :

Senators Baker, Boord, Boyd, Collett, Cranor, Crumpacker, Duncan, Gostlin, Holler, Houghton, LaFollette, McCord, McCutchan, McManus, Mull, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson. Total, 22.

Therefore the motion prevailed.

The question being upon the adoption of the resolution.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Barnes, Beck, Bethell, Bird, Bozeman, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, Leyden, McCord, McDonald, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Sweeney, Wishard, Wray and the President of the Senate. Total, 24.

Those voting in the negative were :

Senators Baker, Boord, Boyd, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, LaFollette, McCutchan, McManus, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson. Total, 23.

So the resolution was adopted.

Senator Gostlin, Chairman of the Committee on Federal Relations and Rights and Privileges of the Inhabitants of the State, made the following report :

MR. PRESIDENT :

Your Committee on Federal Relations and Rights and Privileges of the Inhabitants of the State, to which was referred a petition addressed to the Hon. W. L. Barnes, respectfully report that the same be indefinitely postponed.

GOSTLIN,  
Chairman.

The report was concurred in.

Senator Gostlin, Chairman of the Committee on Federal Relations and Rights and Privileges of the Inhabitants of the State, made the following report :

MR. PRESIDENT :

Your Committee on Federal Relations and Rights and Privileges of the Inhabitants of the State, to which was referred Senate Bill No. 349, introduced by Senator Gifford, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

GOSTLIN,  
Chairman.

The report was concurred in.

Senator Gostlin, Chairman of the Committee on Federal Relations and Rights and Privileges of the Inhabitants of the State, made the following report :

MR. PRESIDENT :

Your Committee on Federal Relations and Rights and Privileges of the Inhabitants of the State, to which was referred Senate Bill No. 290, introduced by Senator Cranor, begs leave to report the same back to the Senate with the recommendation that the same do pass.

GOSTLIN,  
Chairman.

Which report was concurred in.

Senator Gostlin, Chairman of the Committee on Federal Relations and Rights and Privileges, made the following report :

MR. PRESIDENT :

Your Committee on Federal Relations and Rights and Privileges of the Inhabitants of the State, to which was referred Senate Bill No. 331, introduced by Senator McLean, begs leave to report the same back to the Senate with the recommendation that the same do pass.

GOSTLIN,  
Chairman.

The report was concurred in.

Senator Gostlin, Chairman of the Committee on Federal Relations and Rights and Privileges, made the following report :

MR. PRESIDENT :

Your Committee on Federal Relations and Rights and Privileges of the Inhabitants of the State, to which was referred the annexed petitions, would respectfully report that a committee of three be appointed by yourself to confer with a like committee appointed by the Speaker of the House to make such arrangements as will be suitable and appropriate.

GOSTLIN,  
Chairman.

The report was concurred in.

Said petitions are relative to a patriotic observance of the anniversary of Washington's birthday by the General Assembly.

Senator Watson, Chairman of the Committee on Temperance, made the following report :

MR. PRESIDENT :

Your Committee on Temperance, to which was referred Senate Bill No. 96, introduced by Senator Baker, begs leave to report the same back to the Senate with the recommendation that the following substitute for section 1 of said bill be made, and that said bill as substituted do pass.

W. H. WATSON,  
Chairman.

Said substitute bill is as follows :

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That whosoever sells or gives away any ale, beer, wine, cider or other intoxicating liquors at any place within one mile, outside of the boundary lines of the lands occupied by any home, retreat or asylum for disabled volunteer soldiers or soldiers and sailors, which has been or may hereafter be established by the Government of the United States or by the State of Indiana, shall be fined, upon conviction, not more than one hundred dollars nor less than twenty-five dollars, and im-



prisonment ——— days, and on conviction of the owner or keeper thereof the place wherein such intoxicating liquors shall have been sold or given away, shall be by the order of the court wherein such conviction is made, within ten days thereafter shut up and abated as a nuisance. And it is hereby made the duty of the Prosecuting Attorney of the Circuit Court of the county in which any such institution is or may be located to prosecute all offenders against the provisions of this act.

Which report was concurred in.

Senator Collett, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 154, introduced by Senator Duncan, begs leave to report the same back to the Senate with the recommendation that the bill do pass.

M. W. COLLETT,  
Chairman.

The report was concurred in.

Senator Collett, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 284, introduced by Senator Humphreys, begs leave to report the same back to the Senate with the recommendation that the bill do pass.

M. W. COLLETT,  
Chairman.

The report was concurred in.

Senator Collett, Chairman of the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

Your Committee on County and Township Business, to which was referred Senate Bill No. 346, introduced by Senator Crum-  
packer, begs leave to report the same back to the Senate with  
the recommendation that the bill do pass.

M. W. COLLETT,  
Chairman.

Which report was concurred in.

Senator Collett, Chairman of the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

Your Committee on County and Township Business, to which was referred Senate Bill No. 255, introduced by Senator Wishard, begs leave to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

M. W. COLLETT,  
Chairman.

The report was concurred in.

Senator Collett, Chairman of the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

Your Committee on County and Township Business, to which was referred Senate Bill No. 216, begs leave to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

M. W. COLLETT,  
Chairman.

Which report was concurred in.

Senator Collett, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 312, introduced by Senator O'Brien, begs leave to report the same back to the Senate with the recommendation that the same do pass.

M. W. COLLETT,  
Chairman.

The report was concurred in.

Senator Collett, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 347, introduced by Senator Crumpacker, begs leave to report the same back to the Senate with the recommendation that the bill do pass.

M. W. COLLETT,  
Chairman.

Which report was concurred in.

Senator Collett, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 356, introduced by Senator Wishard, begs leave to report the same back to the Senate with the recommendation that the bill do pass.

M. W. COLLETT,  
Chairman.

The report was concurred in.

Senator Collett, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 145, introduced by Senator McCutchan, begs leave to report the same back to the Senate with the recommendation that the bill be amended as follows: By striking out the words and figures fifty thousand in line 4 of section 1, and insert in lieu thereof nor more than sixty-five thousand (65,000), and when so amended that the bill do pass.

M. W. COLLETT,  
Chairman.

The report was concurred in.

Senator Collett, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 76, introduced by Senator Cranor, begs leave to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

M. W. COLLETT,  
Chairman.

The report was concurred in.

Senator Collett, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred Senate Bill No. 371, introduced by Senator McLean, begs leave to report the same back to the Senate with the recommendation that the same do pass.

M. W. COLLETT,  
Chairman.

Which report was concurred in.

## HALL OF HOUSE OF REPRESENTATIVES.

THIS IS TO CERTIFY, That at the joint convention of the two houses of the Fifty-ninth General Assembly of Indiana, held in the hall of the House of Representatives, on the twelfth day of February, 1895, for the purpose of electing a State Librarian, that Emma L. Davidson received 101 votes for Librarian, which was a majority of all the votes cast; and the said Emma L. Davidson was by the presiding officer over said joint convention duly declared elected State Librarian for a term of two years from April 1, 1895.

MORTIMER NYE,  
President.

R. A. BROWN,  
Clerk of the House.

R. B. OGLESBEE,  
Secretary of the Senate.

Senator Vail, Chairman of the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills, to which was referred Senate Bill No. 92, introduced by Senator Cranor, begs leave to report that they have compared the enrolled bill with the bill as passed by the Senate, and find the same to be correct.

L. W. VAIL,  
Chairman.

Which report was concurred in.

The President of the Senate submitted the following:

I have signed House Enrolled Bills Nos. 93 and 197, and Enrolled Senate Bill No. 92.

MORTIMER NYE,  
President of the Senate

The Committee on County and Township Business made the following reports :

MR. PRESIDENT :

A majority of your Committee on County and Township Business, to which was referred Senate Bill No. 366, introduced by Senator Gifford, begs leave to report the same back to the Senate, with the recommendation that the bill be indefinitely postponed.

M. W. COLLETT,  
W. J. BETHELL,  
W. E. McCORD.

MR. PRESIDENT :

A minority of your Committee on County and Township Business, to which was referred Senate Bill No. 366, introduced by Senator Gifford, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

SWEENEY,  
JAMES McHUGH.

Senator Gifford moved that the minority report be substituted for the majority report.

On motion of Senator Wishard the Senate adjourned.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.

MORTIMER NYE,  
President of the Senate.

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FRIDAY MORNING.

FEBRUARY 15, 1895.

The Senate convened at 10 o'clock A. M., with Lieutenant-Governor Nye in the Chair.

Prayer was offered by the Rev. E. A. Allen of the Sixth Presbyterian Church of this city.

After a portion of the Journal had been read, on motion of Senator Baker the further reading of the same was dispensed with.

Substitute Senate Bill No. 95 as amended by Senator O'Brien was ordered engrossed.

Senator Baker introduced Senate Bill No. 880, entitled :

A bill for an act to repeal sections six, seven, eight, nine, ten, eleven, twelve, thirteen, and to amend sections fourteen and thirty-eight of an act entitled an act concerning highways and supervisors thereof, approved March 2, 1883; to repeal section two of an act entitled an act to amend sections one, six, nineteen, twenty and thirty-four of an act entitled, "An act concerning highways and supervisors thereof, approved March 2, 1883, and declaring an emergency," approved April 13, 1885; and to repeal section one of an act entitled, "An act to amend section twelve of an act entitled an act concerning highways and supervisors thereof, and declaring an emergency, approved March 9, 1889;" repealing all laws and parts of laws in conflict herewith and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

Senator McManus introduced Senate Bill No. 381, entitled :

A bill for an act to amend section five (5) of an act entitled an act to amend sections one (1), six (6), nineteen (19), twenty (20) and thirty-four (34) of an act entitled "An act concerning highways and supervisors thereof, approved March 2, 1883, and declaring an emergency, approved April 13, 1895, and declaring an emergency."

Read the first time and referred to the Committee on Roads.

Senator Gifford moved that Senate Bill No. 366, together with both reports, be printed.

Which motion prevailed.

Senator McDonald introduced Senate Bill No. 382, entitled:

An act to amend the title and section 1 of an act entitled "An act to authorize the organization and incorporation of Loan and Trust and Safe Deposit Companies and defining their powers, rights and duties, and other matters connected therewith," approved March 4, 1893, and to extend the business of such companies and authorize them to make and certify to abstracts of title and insure and guarantee titles of real estate, and do other things connected therewith.

Read first time and referred to Committee on Corporations.

Senator Bethell, Chairman of the Committee on Public Health, made the following report:

MR. PRESIDENT:

Your Committee, to which Senate Bill No. 223 was referred, report the same and recommend the same be printed.

W. J. BETHELL,  
Chairman.

The report was concurred in.

Senator Watson, Chairman of the Committee on Claims, made the following report:

MR. PRESIDENT:

Your Committee on Claims, to which was referred Senate Bill No. 195, introduced by Senator Newby, begs leave to report the same back to the Senate with the recommendation that the same do pass.

W. H. WATSON,  
Chairman.

Which report was concurred in.



Senator McCutchan, Chairman of the Committee on Military Affairs, made the following report:

MR. PRESIDENT:

Your Committee, to which was referred Senate Bill No. 149, introduced by Senator Wray, begs leave to report the same back to the Senate with the recommendation that it do pass.

A. J. McCUTCHAN,  
Chairman.

Which report was concurred in.

Senator Phares, Chairman of the Committee on Swamp Lands and Drains, made the following report:

MR. PRESIDENT:

Your Committee on Swamp Lands and Drains, to which was referred Senate Bill No. 379, introduced by Senator Ellison, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

ISAAC H. PHARES,  
Chairman.

The report was concurred in.

Senator Baker, Chairman of the Committee on Insurance, made the following report:

MR. PRESIDENT:

Your Committee on Insurance, to which was referred Senate Bill No. 308, introduced by Senator Parker, respectfully report that they have had said bill under consideration, and they recommend that the bill do pass after the same has been amended as follows:

*First.* In line 6, page 2, of said bill, by striking out the words, "one million dollars," and inserting in lieu thereof, "five hundred thousand dollars."

*Second.* By inserting, at the end of line 3, page 2, of said bill, the following: "except safety deposits and banking."

*Third.* By adding, at the end of section 6, the following :  
 “ *Provided, That, upon the discharge of any such surety from liability upon such bond, such surety shall refund and repay the pro rata unearned part of the premium paid for the execution of such bond.*”

*Fourth.* By adding to section 9 of said act the following :  
 “ Nor shall it repeal, abrogate or alter the provisions of an act, approved March 5, 1885, and entitled an act regulating foreign surety companies doing business in this State, prescribing the duties of the agents thereof and of the Auditor of State in connection therewith, providing penalties for the violation of this act and declaring an emergency.”

Respectfully submitted,

O. A. BAKER,  
 Chairman.

The report was concurred in.

Senator Baker, Chairman of the Committee on Insurance, made the following report:

MR. PRESIDENT :

Your Committee on Insurance, to which was referred Engrossed House Bill No. 97, introduced by Mr. Davis, begs leave to report the same back to the Senate with the recommendation that the same do pass.

O. A. BAKER,  
 Chairman.

Which report was concurred in.

Senator Baker, Chairman of the Committee on Insurance, made the following report:

MR. PRESIDENT :

Your Committee on Insurance, to which was referred Senate Bill No. 85, introduced by Senator McLean, begs leave to report the same back to the Senate with the recommendation that, inasmuch as the same is an exact fac-simile of Engrossed House Bill No. 97, of which your committee has recommended the passage, the further consideration of said Senate bill be indefinitely postponed.

O. A. BAKER,  
 Chairman.

The report was concurred in.

Senator Wishard, Chairman of the Committee on the Affairs of the City of Indianapolis, made the following report :

MR. PRESIDENT :

Your Committee on the Affairs of the City of Indianapolis, to which was referred House Bill No. 312, introduced by Mr. Leedy, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

A. W. WISHARD,  
Chairman.

The report was concurred in.

Senator Wishard, Chairman of the Committee on the Affairs of the City of Indianapolis, made the following report :

MR. PRESIDENT :

Your Committee on the Affairs of the City of Indianapolis, to which was referred House Bill No. 459, introduced by Mr. Van Arsdell, begs leave to report the same back to the Senate with the recommendation that the bill do pass.

ALBERT W. WISHARD,  
Chairman.

The report of the committee was concurred in.

Senator Wishard, Chairman of the Committee on Affairs of the City of Indianapolis, made the following report :

MR. PRESIDENT :

Your Committee on Affairs of the City of Indianapolis, to which was referred House Bill No. 186, introduced by Mr. Leedy, begs leave to report the same back to the Senate, with the recommendation that the bill do pass.

A. W. WISHARD,  
Chairman.

Which report was concurred in.

Senator O'Brien, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred House Bill No. 261, introduced by Mr. Boardman, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

JAMES O'BRIEN,  
Chairman.

The report was concurred in.

Senator O'Brien, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 372, introduced by Senator Rinear, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

JAMES O'BRIEN,  
Chairman.

Which report was concurred in.

Senator O'Brien, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 368, introduced by Senator Kern, begs leave to report the same back to the Senate with the recommendation that it do pass.

JAMES O'BRIEN,  
Chairman.

The report was concurred in.

Senator O'Brien, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 360, introduced by Senator Barnes, begs leave to report the same back to the Senate with the recommendation that the same do pass.

JAMES O'BRIEN,  
Chairman.

The report was concurred in.

Senator O'Brien, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 266, introduced by Senator Ellison, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

JAMES O'BRIEN,  
Chairman.

The report was concurred in.

Senator O'Brien, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred House Bill No. 310, introduced by Mr. Hundley, begs leave to report the same back to the Senate with the recommendation that the same do pass.

JAMES O'BRIEN,  
Chairman.

Which report was concurred in.

Senator O'Brien, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred House Bill No. 306, introduced by Mr. Elliott, begs leave to report the same back to the Senate with the recommendation that the same do pass.

JAMES O'BRIEN,  
Chairman.

The report was concurred in.

Senator O'Brien, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 359, introduced by Senator McLean, begs leave to report the same back to the Senate with the recommendation that the same be amended as follows: By striking out the words " more than thirty thousand and," commencing with the word " more," in line 1, and ending with the word " and " in line 2 of said bill, and when so amended that the same do pass.

JAMES O'BRIEN,  
Chairman.

Which report was concurred in.

Senator Seller asked leave of absence for Senator Johnston.

Which was granted.

Senator Watson asked leave of absence for Senator Vail.

Which was granted.

Senator Crumpacker, Chairman of the Committee on Railroads, made the following report:

MR. PRESIDENT:

Your Committee on Railroads, to which was referred House Bill No. 11, introduced by Representative Griffin, begs leave to report the same back to the Senate with the recommendation that the same do pass.

CRUMPACKER,  
Chairman.

The report was concurred in.

The Committee on Railroads made the following reports:

MR. PRESIDENT:

Your Committee on Railroads, to which was referred Senate Bill No. 60, introduced by Senator Wray, begs leave to report the same back to the Senate that the same be referred to the Committee on Judiciary.

CRUMPACKER,  
Chairman.

MR. PRESIDENT:

Your minority Committee on Railroads, to which was referred Senate Bill No. 60, introduced by Senator Wray, begs leave to report the same back to the Senate with the recommendation that the same do pass.

A. F. WRAY.

The question being on the substitution of the minority report for the majority report.

Senators Wray and Sweeney demanded the ayes and noes.

Those voting in the affirmative were:

Senators Barnes, Beck, Bird, Bozeman, Cranbr, Duncan, Gifford, Humphreys, Kern of Marion, McLean, Rinear, Schneck, Seller, Stuart, Sweeney, Wray. Total, 16.

Those voting in the negative were:

Senators Bethell, Boyd, Collett, Crumpacker, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McDonald, McHugh, McManus, Mull, Newby, O'Brien, Parker, Shiveley, Watson. Total, 21.

So the question was lost.

The majority report was then adopted.

The Committee on Railroads made the following reports :

MR. PRESIDENT :

Your Committee on Railroads, to which was referred Senate Bill No. 8, introduced by Senator Wray, begs leave to report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

CRUMPACKER,  
Chairman.

MR. PRESIDENT :

The minority of your Committee on Railroads, to which was referred Senate Bill No. 8, introduced by Senator Wray, begs leave to report the same back to the Senate that the same be amended by adding to section 1, the following words: "The provisions of this act shall not apply to any person, agent, officer, or corporation who shall ask, demand, accept, receive, consent to receive or use, or shall give, or promise any free pass, free transportation, franking privilege, or discrimination in passenger, telegraph or telephone rates, respectfully, in any case whatever where the relation of master and servant, employer and employes, or attorney and client shall exist in good faith between the parties as aforesaid," and as so amended that the bill do pass.

A. F. WRAY.

The majority report was concurred in.

Senator Watson, Chairman of the Committee on Temperance, made the following report :

MR. PRESIDENT :

Your Committee on Temperance, to which was referred Senate Bill No. 178, introduced by Senator Self, begs leave to report the same back to the Senate with the recommendation that the same do pass.

W. H. WATSON,  
Chairman.

Which report was concurred in.



Lieutenant-Governor Nye announced that he had appointed the following Senators as composing the Committee on Arrangements for Washington's Birthday :

Senators Boyd, Wray and McCutchan.

Lieutenant-Governor Nye announced that he had appointed the following Senators on Committee on Political Matters :

Senators Wishard, McLean, Newby, Kern and Shiveley.

Senator Shiveley, Chairman of the Committee on Organization of Courts, made the following report :

MR. PRESIDENT :

Your Committee on Organization of Courts, to which was referred Senate Bill No. 229, introduced by Senator Stuart, begs leave to report the same back to the Senate, with the recommendation that the substitute herewith submitted do pass.

CHAS. E. SHIVELEY,  
Chairman.

The report was concurred in.

Said substitute is as follows :

A bill for an act to enable attorneys at law to contract and to secure and collect fees in certain cases, to repeal all laws in conflict therewith, and declaring an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That it shall be lawful for any attorney at law in this State to contract with any person or client, for and in consideration of bringing any suit or action at law, or filing any claim, in any of the courts of this State, by agreeing with such person or client, to receive any part or percentage of the money, or other consideration, for which such action is brought, as his fees therein, and the same shall be in all things legal and valid.

SEC. 2. That any attorney in the practice of his profession in any court of record in this State having been employed and retained by any person or persons, or corporation or corporations, to bring any suit, or other legal proceedings, in any of the said courts in this State, against any person or persons,

corporation or corporations, may have a claim against any such party or parties, plaintiff or plaintiffs, defendant or defendants, and the right to enforce the same in any of the courts of record in this State, and whenever any such suit or legal proceedings shall have been compromised or dismissed, without the consent of, or the payment or tender of payments, to such attorney so employed of a reasonable fee for the services of such attorney rendered in such suit or proceedings: *Provided*, That such legal proceedings shall be just and meritorious.

SEC. 3. All laws and parts of laws in conflict herewith are hereby repealed.

SEC. 4. Whereas, an emergency exists for the immediate taking effect of this act, it shall, therefore, be in force from and after passage.

The following message was received from the Governor :

FEBRUARY 15, 1895.

HON. MORTIMER NYE, *Lieutenant-Governor and President of the Senate :*

DEAR SIR—The sad news has been confirmed of the death of the Hon. Isaac P. Gray, United States Minister to Mexico. Death came to him last evening in the City of Mexico, where for two years he had been the representative of our Government to that Republic. He has twice been Chief Executive of Indiana, and was for two sessions the presiding officer of the Senate. He has received many honors from the citizens of his State, and died in the public service.

Respectfully,

CLAUDE MATTHEWS,  
Governor.

Senator Kern offered the following resolution:

WHEREAS, This Senate has learned with profound regret of the death on yesterday of Hon. Isaac P. Gray, United States Minister to the Republic of Mexico; and

WHEREAS, Minister Gray had in his life filled with great distinction the office of Governor of Indiana, that of Lieutenant-Governor, and other offices, civil and military, with patriotic fidelity; therefore,

*Resolved*, That the sympathy of this body be extended to the family of the deceased.

*Resolved*, That the Secretary be instructed to transmit to Mrs. Gray a duly authenticated copy of these resolutions.

*Resolved*, That, out of respect for the memory of the dead statesman, this Senate do now adjourn.

Senator McLean offered the following:

*Resolved further*, That the Custodian of the State House be directed to have the flag on the cupola placed at half mast out of respect to the memory of our distinguished fellow citizen, and that the same remain at half mast during the remainder of the present session of this General Assembly.

The resolutions were adopted.

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## FRIDAY AFTERNOON.

FEBRUARY 15, 1895.

The Senate convened at 2 o'clock, with President *pro tem.* Newby in the chair.

Senator Watson, the committee of one to which Senate Bill No. 119 was referred, made the following report:

MR. PRESIDENT:

Your committee of one, to which was referred Senate Bill No. 119, begs leave to report the same back to the Senate, with the recommendation that the following amendments be made, to wit: That item three of section 9 be numbered 4, and the following substituted as item three: "The number of votes in the township in which said county seat is to be located, in favor of the re-location of said county seat at the place named in said petition, and also the number of votes cast in said township in which said county seat is to be re-located, against the re-location of the county seat at the place named in said petition, and

by inserting after the word 'Governor,' at the end of section 10, the following: '*Provided, however,* That the Governor shall not appoint such appraisers, nor shall any further steps be taken in said proceedings unless three-fifths or more of the votes cast at such election in the township in which said county seat is to be re-located are cast in favor of such re-location.'” And by inserting after the word “township,” in line five of section 17, the following: “and incorporated towns and cities,” and by striking out the words “such annual tax levy,” in line three of section 18, and inserting the following words in lieu thereof:

“Such annual tax levy, and to be levied under this act, not to exceed at any one time two per cent. of the taxable property of said township, and incorporated towns and cities therein.” And by inserting after the word “relocated,” at the end of section 22, the following: “That said county seat shall not be relocated in any township of said county, nor county records and files be moved to, and located at such place of such relocation by the county commissioners of that county, until the court house and jail shall have been completed by the township in which said county buildings have been relocated and turned over to the county, and a good and sufficient warranty deed shall have been delivered to such county, upon which said buildings are located, as provided for in this act, and said real estate and buildings shall be free from any and all mortgage, mechanic and other liens.

W H. WATSON,  
Chairman.

Which report was concurred in.

Senator Kern offered Amendment No. 1 as follows:

MR. PRESIDENT:

I move to amend Senate Bill No. 119 by striking out that part of section 5 commencing with the word “the” in line 6 of page 3 and ending with the word “vacancies” in line 13 on said page, and that in lieu thereof there be inserted the following: In selecting election boards for the various precincts the Board of County Commissioners shall select one judge and one clerk who shall be known to be in favor of such relocation, and one judge and one clerk in each precinct who shall be known to be opposed to such relocation. And if in any

precinct the sentiment is so unanimous in favor of or against said relocation that competent judges and clerks can not be found therein then said Board of Commissioners shall appoint from any other precinct in said county persons competent to fill any such election boards.

KERN.

Senator Seller moved to amend Amendment No. 1, as follows:

MR. PRESIDENT:

I move to amend the amendment by adding thereto at the end thereof the words "and such persons so appointed shall have the right to vote in the precinct where they shall serve as election officers."

SELLER.

Which amendment was adopted.

Amendment No. 1, as amended, was adopted.

Senator Wray offered Amendment No. 2, as follows:

MR. PRESIDENT:

I move to amend Senate Bill No. 119 by striking out lines 1, 2 and 3 and the word "certificate" in line 4 of section 10 of said bill and inserting in lieu thereof the following words: "Sec. 10. The Governor shall thirty days before the day of the election provided for in this act," to be inserted therein immediately before the remaining words of said section.

A. F. WRAY.

Which amendment was adopted.

Senator McCord offered Amendment No. 3, as follows:

I move to amend Senate Bill No. 119 as follows by inserting after the word "officers" in line 14 of section 5 the following: "That no person shall be appointed by the Board of Commissioners to serve on said election board except upon petition filed with them signed by at least fifty voters of said county. Which petition shall state whether said petition favor or approve such relocation and shall request the appointment of

members of the Election Board or Boards named as representatives of the opinions of the petitioners with regard to relocation. Each side shall be entitled to not less than two watchers at the count and the watchers and challenger named by each side need not be residents of the voting precinct, but must be voters of the county.

Which amendment was adopted.

The bill was ordered engrossed.

Senators Boyd, Baker, Duncan, Sweeney and Parker were excused from attending the sessions of the Senate until Monday.

Senator Holler offered the following Concurrent Resolution No. 18:

WHEREAS, It is believed there is a large amount of funds in the State Treasury belonging to the Swamp Land Fund, and that a large amount of the Swamp Land Fund has been used for other purposes than draining the lands sold for that purpose; therefore, be it

*Resolved*, That the Auditor of the State do make a report to the Senate Committee on Swamp Lands and Drains, the amount of money on hands or due the Swamp Land Fund.

C. HOLLER.

The resolution was adopted.

Senator Sweeney introduced Senate Bill No. 883, entitled:

A bill for an act to define and punish frauds upon hotel, inn, boarding, eating, lodging houses and restaurants, making it a penalty for any person to violate the provisions thereof, specifying the means of proof of the intent to defraud, providing punishment therefor, and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

Senator Sweeney introduced Senate Bill No. 384, entitled :

A bill for an act empowering the Common Councils of cities to authorize persons, corporations or associations to construct, operate and maintain sewerage, and to contract with said persons, corporations or associations, and to levy a tax for the payment for the use of the same.

Read the first time and referred to the Committee on Cities and Towns.

Senator Gostlin introduced Senate Bill No. 385, entitled :

An act to establish a Superior Court for the counties of Lake, Porter and Laporte, defining its authority and jurisdiction, providing for the appointment, election, commission and compensation of the Judge thereof, and for Clerk and Sheriff and compensation of same, and places and times of holding said court, and declaring an emergency.

Read the first time and referred to the Committee on Organization of Courts.

Senator Ellison introduced Senate Bill No. 386, entitled :

A bill for an act concerning pensions for disabled firemen and dependents of deceased firemen in cities having a population of more than thirty-five thousand and less than fifty thousand; providing for pensioning the widows and orphans of deceased firemen; providing for pensioning the dependent wives and children of retired or disabled firemen; providing for pensioning dependent fathers and mothers and dependent brothers and sisters of disabled or retired firemen; providing for a fund out of which such pensions shall be paid; providing for a Board of Trustees for the management and distribution of such fund; providing and prescribing regulations relative to the mode of obtaining, preserving, using and disbursing such fund; declaring to what cities and fire departments this act shall apply, repealing former acts, and declaring an emergency.

Read the first time and referred to the Committee on Corporations.

Senator Ellison introduced Senate Bill No. 387, entitled :

A bill for an act relating to the construction and repair of bridges costing not to exceed seventy-five dollars, and repealing all laws in conflict herewith.

Read and referred to the Committee on County and Township Business.

Senator Ellison introduced Senate Bill No. 388; entitled :

A bill for an act concerning public libraries.

Read the first time and referred to the Committee on Education.

Senator Beck introduced Senate Bill No. 389, entitled :

An act concerning interest and usury.

Read the first time and referred to the Committee on Agriculture.

The following Senators presented petitions asking for the passage of a bill to abolish the "expense fund:"

Senators Bird, Houghton, Kern, LaFollette, Mull, O'Brien, Schneck, Seller, Watson and Wray.

Referred to the Committee on Corporations.

By request Senator Ellison introduced Senate Bill No. 390, entitled :

An act providing for the drainage of lands and the improvement of water courses, and providing for the sale of certain swamp lands belonging to the State.

Read the first time and referred to the Committee on Swamp Lands and Drains.



Senator Boord introduced Senate Bill No. 391, entitled :

An act to amend section 1 of "An act to amend section number sixteen (16) of an act entitled 'An act concerning real property and the alienation thereof,' approved May 6, 1852" (approved March 11, 1875), the same being section 2931 of the Revised Statutes of 1881.

Read the first time and referred to the Committee on Judiciary.

The following Senators presented petitions relative to the passage of the Nicholson Bill :

Senators Boord, Gifford, Gostlin, Houghton, LaFollette, McCord, McLean, Mull, McManus, O'Brien, Seller, Shiveley, Stuart, Wishard and Wray.

Referred to the Committee on Temperance.

Senator Cranor presented petitions from the resident householders of Delaware County, asking for the passage of Senate Bill No. 244.

Referred to the Committee on Judiciary.

Senator Crumpacker, offered a petition, which was referred to the Committee on Federal Relations.

Senators McLean and Ellison presented petitions from the citizens of Fort Wayne, asking that Mr. Johnson receive a fair and impartial investigation.

Referred to the Committee on Benevolent Institutions.

Senator Gostlin introduced Senate Bill No. 392, entitled :

A bill for an act to amend section 1 of an act approved March 1, 1893, entitled "An act to authorize the Common Council of any city to issue, negotiate and sell the bonds of such city, to raise money to pay for stock subscribed to any incorporated water works company or association in which said city may become a part stockholder, and declaring an emergency, so as to extend the provisions thereof to incorporate towns and declaring an emergency."

Read the first time and referred to the Committee on Cities and Towns.

Senator Houghton introduced Senate Bill No. 898, entitled :

A bill for an act providing for the consolidation of street railway and electric lighting companies in the State of Indiana.

Read the first time and referred to the Committee on Corporations.

Senator Humphreys introduced Senate Bill No. 894, entitled :

An act to regulate the liability of common carriers, and to fix the burden of proof in case of loss or damage to property.

Read the first time and referred to the Committee on Railroads.

Senator Kern presented petitions from the citizens of Indianapolis relative to the street paving bill.

Referred to the Committee on Affairs of the City of Indianapolis.

Senator McCord introduced Senate Bill No. 895, entitled :

A bill for an act to repeal section twenty-two (22) of an act entitled "An act for the incorporation of insurance companies, defining their powers and prescribing their duties," approved June 17, 1852, the same being section thirty-seven hundred and twenty-nine of the Revised Statutes of Indiana, 1881.

Read the first time and referred to the Committee on Insurance.

By request Senator McCutchan introduced Senate Bill No. 896, entitled :

An act to provide for the building of flood gates in ditches having an outlet in water courses and which drain overflowed lands.

Read the first time and referred to the Committee on Swamp Lands and Drains.

Senator McCutchan introduced Senate Bill No. 397, entitled :

A bill for an act establishing a Deaf and Dumb School at Evansville, Indiana, and prescribing rules for the government for the same.

Read the first time and referred to the Committee on Benevolent Institutions.

Senator McCutchan introduced Senate Bill No. 398, entitled :

An act to amend section two hundred and thirty-six (236) of an act entitled : "An act concerning taxation, repealing all laws in conflict therewith, and declaring an emergency," approved March 6, 1891, and enforced March 6, 1891.

Read the first time and referred to the Committee on Education.

Senator McDonald introduced Senate Bill No. 399, entitled :

A bill for an act to empower Lodges and Grand Lodges of certain orders to take, hold and transfer shares of stock in certain corporations, legalizing such action heretofore taken, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator McLean presented petitions asking for the passage of a Temperance Educational law.

Referred to the Committee on Rights and Privileges.

Senator Phares introduced Senate Bill No. 400, entitled :

An act concerning the drainage of wet and overflowed lands, and for the cancellation of liens on lands assessed therefor, and repealing all laws in conflict therewith.

Read the first time and referred to the Committee on Swamp Lands and Drains.

Senator Phares introduced Senate Bill No. 401, entitled :

A bill for an act to amend an act entitled "An act concerning elections, providing penalties for the violation of the same, and repealing all laws in conflict therewith," approved March 6, 1889.

Read the first time and referred to the Committee on Public Printing.

Senator Phares introduced Senate Bill No. 402, entitled :

A bill for an act supplemental to "An act regulating the practice of medicine, surgery and obstetrics, providing for the issuing of license to practice, defining certain misdemeanors and providing penalties, approved April 11, 1885," regulating the practice of medicine, surgery and obstetrics by traveling and other practitioners, and providing penalties for its violation.

Read the first time and referred to the Committee on Public Health.

Senator Schneck introduced Senate Bill No. 403, entitled :

A bill for an act to regulate the sale of convict made goods, wares and merchandise manufactured by convicts in other states.

Read the first time and referred to the Committee on Mining and Manufacturing.

Senator Self offered petitions relative to the re-districting of the State for judicial purposes.

Referred to the Committee on Organization of Courts.

Senator Self, by request, introduced Senate Bill No. 404, entitled :

A bill for an act regulating the practice of medicine, surgery and obstetrics, providing for the issuing of licenses to practice, defining certain offenses, providing penalties and repealing all laws in conflict therewith.

Read the first time and referred to the Committee on Public Health.

Senator Self offered the following resolution :

**MR. PRESIDENT:**

I offer the following resolution :

**WHEREAS,** The tax-payers of Indiana demand that there be no more paid officials than public interests absolutely require, and

**WHEREAS,** It has been stated upon this floor that there are Judicial Circuits in the State where the Judges thereof are not employed in the discharge of their official duties more than half their time, and

**WHEREAS,** Tax-payers of Indiana have urgently petitioned this body for a reduction in the number of Judicial Circuits in the State, and

**WHEREAS,** It is the duty of this body to give due consideration to the existing conditions concerning the matters hereinbefore set out ; therefore, be it

*Resolved,* That the Committee on Organization of Courts be instructed to inquire into the expediency of reporting a bill reducing the number of Judicial Circuits in the State, that there may be fewer Judges and Prosecuting Attorneys to be paid by the tax-payers of Indiana.

**SELF.**

The resolution was adopted.

Senator Seller introduced Senate Bill No. 405, entitled :

A bill for an act to further better regulate and restrict the sale of intoxicating liquors sold for use as a beverage, and providing penalties for the violation thereof.

Read the first time and referred to the Committee on Temperance.

Senator Seller introduced Senate Bill No. 406, entitled :

A bill for an act providing for the election of County Surveyors and prescribing the duties thereof.

Read the first time and referred to the Committee on Judiciary.

Senator Shiveley asks leave to withdraw Senate Bill No. 283.  
The request was granted.

Senator Shiveley introduced Senate Bill No. 407, entitled :

An act to provide for a revision of the statute laws of the State of Indiana in relation to municipal corporations, including counties, civil and school townships, cities and towns and all others and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

Senator Wishard presented a petition from the employes of the C., H. & D. R. R. protesting against the proposed reduction of railroad fare to two cents per mile.

Read and referred to the Committee on Railroads.

Senator Wishard presented a petition from the Union Soldiers' Mutual League protesting against the proposed abolition of the Monument Commission.

Referred to the Committee on Soldiers' and Sailors' Monument.

Senator Wishard introduced Senate Bill No. 408, entitled :

A bill for an act prescribing the duties of the several boards of trustees of the Northern Indiana Hospital for the Insane, the Southern Indiana Hospital for the Insane, the Eastern Hospital for the Insane, the Central Indiana Hospital for the Insane, the Indiana Asylum for the Blind, the Indiana Institution for the Education of the Deaf and Dumb, the Indiana Asylum for Feeble-Minded Children, the Indiana Soldiers' and Seamen's Home, and the Indiana Soldiers' and Sailors' Orphans' Home; of the Board of Directors of the Indiana State Prison North; of the Board of Directors of the Indiana State Prison South; the Board of Managers of the Indiana Reformatory Institution for Women and Girls; the Board of Control of the Indiana Reform School for Boys, in relation to the purchase of such articles and materials as may be necessary to be purchased for the proper maintenance and care of said institution and their inmates, and declaring an emergency.

Read the first time and referred to the Committee on Benevolent Institutions.

Senator Wishard introduced Senate Bill No. 409, entitled :

A bill for an act requiring all contracts hereinafter to be made by the State of Indiana, by or through any of its officers, or any person or persons, committee or committees, firm or firms, board or boards, for the manufacture, making or creation of any article or articles, things or substance to be used for or by said State or by any officers or citizens thereof, shall contain specific stipulations that such article or articles shall bear the label, stamp, brand, mark, name or device of the organized trades representing the class or kinds of labor required or employed in the manufacture thereof, fixing the conditions of the use of such devices as above named, providing penalties for violation thereof, repealing all laws and parts of laws in conflict therewith, and declaring an emergency.

Read the first time and referred to the Committee on Labor.

Senator Wishard introduced Senate Bill No. 410, entitled :

A bill for an act to amend section six (6) and repealing section three (3) of an act entitled, an act to regulate the practice of dentistry in the State of Indiana, providing the manner of selecting a board of examiners, the examination and qualifications of applicants, the issuing of certificates, the meetings of said Board, their term of office and pay, the issuing of permits by individual members of said Board, recording of certificates by holders, prescribing penalty for the violation of the provisions of this act, repealing the act of March 29, 1879, and all conflicting laws and providing for prosecution of any violation of the act of 1879, under the provisions thereof, approved March 7, 1887.

Read the first time and referred to the Committee on Public Health.

Senator Stuart moved that the consideration of Senate Bill No. 117 be postponed until to-morrow morning at 10 o'clock.

Which motion prevailed.

Senate Bill No. 325 was read the second time.

Senator Gifford offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 325 as follows: Strike out of line 59 of section 1 of the printed bill the following words: "The common council," and insert in lieu thereof these words: "The proper authorities." Also, by striking out of line 60 of section 1 of said printed bill the following words: "The Board of Trustees."

GIFFORD.

The amendment was adopted.

The bill was ordered engrossed.

Senate Bill No. 269 was read the second time.

Senator McCutchan offered Amendment No. 1, as follows:

MR. PRESIDENT:

Amend Senate Bill No. 269 by inserting in line 3, section 1, after the word "State," the words, "having a population of fifteen thousand and upward."

The amendment was adopted.

The bill was ordered engrossed.

Senate Bill No. 293 was read the second time and ordered engrossed.

Senate Bill No. 302 was read a second time and ordered engrossed.

Senate Bill No. 249 was read a second time and ordered engrossed.



Senate Bill No. 207 was read the second time.

Senator Wray offered Amendment No. 1, as follows :

MR. PRESIDENT :

I move to amend Senate Bill No. 207 by striking out section 3 thereof.

WRAY.

Which amendment was lost.

Senator Gifford offered Amendment No. 2, as follows :

MR. PRESIDENT :

I move to amend section 1 of Senate Bill No. 207 by striking out of line 13 the words "place and," and insert in said line 13, after the word "type," the words in the same place where said original item appeared in said paper, on the front page.

GIFFORD.

Which amendment was concurred in.

The bill was ordered engrossed.

Senate Bill No. 184 was ordered engrossed.

Senate Bill No. 256 was read the second time and ordered engrossed.

Senate Bill No. 200 was read a second time and ordered engrossed.

Senator Wray moved that the order for engrossing Senate Bill No. 119 be reconsidered.

Taken by consent and made a special order for to-morrow morning at 10 o'clock.

Senator Shiveley moved that Senator Holler be appointed a member of the Committee on Mines and Mining made vacant by the death of Senator Thayer.

Which motion prevailed.

On motion of Senator McCutchan the Senate adjourned.

MORTIMER NYE,  
President of the Senate.

W. S. ENNES,  
Assistant Secretary of the Senate.

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### SATURDAY MORNING.

FEBRUARY 16, 1895.

The Senate convened at 10 o'clock A. M., with President *pro tem.* Newby in the chair.

After a portion of the Journal had been read, Senator Houghton moved that the further reading be dispensed with.

Which motion prevailed.

The consideration of Senate Bill No. 119, which had been made a special order for this hour, was now taken up.

Senator Wray offered Amendment No. 4, as follows:

Moved that Senate Bill No. 119 be amended as follows:

SEC. 3. In line 10, strike out "thirty" and insert "forty," and strike out "forty-five" and insert "sixty."

SEC. 4. In line 5, after the word "election," add "and by mailing a certified copy of such order of the County Commissioners to the Governor within three days after such order shall have been made."

SEC. 10. Strike out the proviso.

SEC. 11. For the section as reported substitute the following:

SEC. 11. At the next regular session of the Board of Commissioners after said special election, if it shall have resulted in the voters of the county having voted, by a vote of three-fifths

or more of the votes cast at the special election, in favor of the relocation of the county seat according to the provisions of this act, and in case the voters of the township in which it is proposed to relocate the county seat shall also have voted, by a vote of three-fifths or more, in favor of such relocation, said Board of Commissioners shall enter an order reciting that the voters of said county have decided to relocate the county seat of said county at the place named in the petition mentioned in section one of this act, and declaring that as soon as the provisions of this act have been complied with said county seat shall be deemed relocated and permanently established at the place stated in said petition.

The amendment was adopted and the bill ordered engrossed.

The consideration of Senate Bill No. 117, which had been made a special order for this hour, was now taken up.

Senator Houghton, Chairman of the Committee on Elections, made the following reports:

MR. PRESIDENT:

The majority of your Committee on Elections, to which was referred Senate Bill No. 117, introduced by Senator Stuart, begs leave to report that they have had the same under consideration, and recommend that the further consideration of said bill be indefinitely postponed.

H. Q. HOUGHTON,  
Chairman.

MR. PRESIDENT:

A minority of your Committee on Elections, to which was referred Senate Bill No. 117, introduced by Senator Stuart, begs leave to report that they have had the same under consideration and recommend that said bill do pass.

R. F. STUART,  
A. F. WRAY.

Senator Stuart moved that the bill, together with both reports thereon, be referred to a special committee of three for examination and report.

Which motion prevailed.

The chair appointed Senators Seller, McCutchan and Kern as such committee.

Senator McCutchan, Chairman of the Committee on Military Affairs, made the following report:

MR. PRESIDENT:

Your Committee on Military Affairs, to which was referred Engrossed House Bill No. 57, begs leave to report the same back to the Senate with the recommendation that the same do pass.

McCutchan,  
Chairman.

Which report was concurred in.

Senate Bill No. 56 was read the second time and ordered engrossed.

Senate Bill No. 215 was read the second time and ordered engrossed.

Senate Bill No. 337 was read the second time and ordered engrossed.

Senate Bill No. 252 was read the second time and ordered engrossed.

Senate Bill No. 210 was read the second time and ordered engrossed.

President *pro tem.* Newby submitted the following communication:

FEBRUARY 16, 1895.

I have signed Enrolled House Bills Nos. 66 and 110.

L. P. NEWBY,  
President *pro tem.*

Engrossed House Bill No. 107 was read the second time and advanced to the third reading.

Senate Bill No. 224 was read the second time and ordered engrossed.

Engrossed House Bill No. 124 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Beck, Bethell, Boyd, Bozeman, Collett, Cranor, Crumpacker, Ellison, Gifford, Haggard, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, McCord, McCutchan, McDonald, McHugh, McLean, McManus, Mull, Newby, O'Brien, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Watson, Wishard, Wray. Total, 84.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senate Bill No. 385 was read the second time.

Senator Kerns offered the following amendment:

MR. PRESIDENT.

I move to amend Senate Bill No. 385, introduced by Senator Phares, by striking out the word "August" in lines 5 and 6 and inserting in lieu thereof the word "June"

Which amendment was adopted and the bill ordered engrossed.

Senate Bill No. 380 was read the second time and ordered engrossed.

Senator Shiveley made the following motion:

MR. PRESIDENT:

I move that the Secretary of the Senate be directed to place a printed copy of the Calendar of the Senate on the desks of the Senators on Monday and Thursday mornings instead of at the times formerly ordered.

SHIVELEY.

Which motion prevailed.

Senator McDonald moved that when the Senate adjourns it adjourn to meet Monday morning at 10 o'clock.

Which motion prevailed.

Senator Haggard introduced Senate Bill No. 411, entitled :

A bill for an act to amend section two hundred and thirty-six (236) of an act entitled "An act concerning taxation, repealing all laws in conflict therewith, and declaring an emergency," approved March 6, 1891, and in force March 6, 1891.

Read the first time and referred to the Committee on Finance.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 355, introduced by Senator Seller, begs leave to report the same back to the Senate with the recommendation that the bill do pass.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator LaFollette introduced Senate Bill No. 412, entitled :

A bill for an act to amend section twenty-six (26) of an act entitled, "An act to provide for the opening, vacating and change of highways," approved June 17, 1852, and which is section five thousand and twenty-seven (5027) of the Revised Statutes of the year 1881, of the State of Indiana, and repealing all laws in conflict therewith, and declaring an emergency.

Read the first time and referred to the Committee on Roads.

Senator Self introduced Senate Bill No. 413, entitled :

A bill for an act fixing the times for holding court in the Third Judicial Circuit of the State of Indiana, prescribing the length of terms thereof, and repealing all laws in conflict therewith, and declaring an emergency.

Read the first time and referred to the Committee on Organization of Courts.

Senator Self, by request, introduced Senate Bill No. 414, entitled :

A bill for an act to amend section one hundred and eight (108) of an act entitled "An act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, the same being section forty-three hundred and eighty-two (4382) of the Revised Statutes of 1881, repealing all laws in conflict therewith, and declaring an emergency.

Read the first time and referred to the Committee on County and Township Business.

Senator Phares introduced Senate Bill No. 415, entitled :

An act to provide for the supervision of the construction and repair of public works, and for the appointment of a Superintendent of Public Works.

Read the first time and referred to the Committee on County and Township Business.

Senator Boyd introduced Senate Bill No. 416, entitled :

An act making appropriations for the Indiana Institution for the Education of the Deaf and Dumb, and declaring an emergency.

Read the first time and referred to the Committee on Benevolent Institutions.

Senate Bill No. 180 was read the second time.

Senator Seller offered Amendment No. 1, as follows :

**MR. PRESIDENT :**

I move to amend Senate Bill No. 180 by adding to section one the following :

"And each Township Trustee shall, within ten days after

filing his annual report, cause a copy of his said report, in full, to be published for one week in one weekly newspaper having general circulation in his county, if any there be, together with a transcript of the above account, and on failure so do to he shall be liable upon his bond in the sum of one hundred dollars, to be recovered upon an action brought in the name of the State of Indiana on the relation of such township against the trustee failing to so publish such report, and said trustee shall also record at length a copy of such report in the township record.

SELLER.

The amendment was adopted.

Senator Seller offered Amendment No. 2, as follows:

MR. PRESIDENT:

I move to amend Senate Bill No. 180 by striking out section two.

SELLER.

Which amendment was adopted.

The bill was ordered engrossed.

Senator Boyd, Chairman of the Committee on Benevolent Institutions, made the following report:

MR. PRESIDENT:

Your Committee on Benevolent Institutions, to which was referred Senate Bill No. 84, introduced by Senator Shiveley, begs leave to report the same back to the Senate, with the recommendation that it do pass.

THOS. E. BOYD,  
Chairman.

Which report was concurred in.

Senator Collett, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on the County and Township Business, to which was referred Senate Bill No. 158, introduced by Senator



Collett, offers, as a substitute therefor, the bill attached hereto, and recommend that the same do pass.

M. W. COLLETT.

Said substitute is as follows :

A bill for an act concerning the office of County Assessors, regulating the appointment of persons who may act as deputies, fixing the pay and limiting the time of service, repealing all laws in conflict therewith, and declaring an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That the County Assessors in the several counties of this State shall receive as compensation for their services the sum of three (3) dollars per day for the time actually employed by them in the discharge of the duties of their several offices: *Provided*, That in counties of less than ten thousand, such Assessors shall not charge for or receive pay for more than one hundred and twenty (120) days. In counties of more than ten thousand and less than fifteen thousand such Assessors shall not charge or receive pay for more than one hundred and fifty (150) days. In counties of more than fifteen thousand and less than thirty thousand, such Assessors shall not charge or receive pay for more than one hundred and eighty (180) days. In counties of more than thirty thousand and less than sixty thousand, the Assessors shall not charge or receive pay for more than two hundred and forty (240) days. In counties of more than sixty thousand, such Assessors may, if the duties of the offices require it, charge for and receive pay for the entire year.

SEC. 2. It shall be unlawful for any Assessor to appoint as his deputy any one akin to him.

SEC. 3. No Assessor shall receive pay for services rendered by him in excess of the taxes assessed upon the property which shall have been placed upon the tax duplicate by such Assessor.

SEC. 4. The population of the several counties of the State, for the purpose of ascertaining the number of days of service to be charged by the Assessors of the several counties, shall be computed upon the eleventh census of the United States of 1890.

SEC. 5. All laws and parts of laws in conflict with this act are hereby repealed.

SEC. 6. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in force from and after its passage.

Which report was concurred in.

On motion of Senator McCutchan the Senate adjourned.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.

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MONDAY MORNING.

FEBRUARY 18, 1895.

The Senate met pursuant to adjournment with the President of the Senate in the chair.

After a portion of the Journal had been read, on motion of Senator Shiveley, the further reading of the same was dispensed with.

The following message was received from the Governor:

FEBRUARY 18, 1895.

HON. MORTIMER NYE,

*President of the Senate:*

SIR—I am directed by the Governor to inform the Senate that he has signed Senate Enrolled Bills Nos. 92, 104 and 47.

Respectfully,

C. D. McMECHAN,  
Executive Clerk.

Read and ordered spread upon the records.

Senator Haggard, Chairman of the Committee on Finance, made the following report:

MR. CHAIRMAN :

Your Committee on Finance, to whom was referred Senate Bill No. 411, introduced by Senator Haggard, recommend that said bill do pass.

HAGGARD,  
Chairman.

The report was concurred in.

Senators Beck, Bethell, Johnston, McDonald and Self presented petitions asking for the enactment of a temperance education law.

Read and referred to the Committee on Temperance.

Senators Bethell and McLean presented petitions asking for laws to prevent the adulteration of food and medicine.

Read and referred to the Committee on Agriculture.

Senator Boyd introduced Senate Bill No. 417, entitled :

A bill for an act to reimburse Louis Haas in the sum of \$250, paid into the Treasury by mistake.

Read the first time and referred to the Committee on Claims.

Senator Duncan introduced Senate Bill No. 418, entitled :

A bill for an act to repeal section twenty-two (22) of an act entitled, an act for the incorporation of insurance companies, defining their powers and prescribing their duties, approved June 17, 1852, and being section three thousand seven hundred and thirty-nine (3739) of the Revised Statutes of Indiana, 1881.

Read the first time and referred to the Committee on Insurance.

Senator Duncan introduced Senate Bill No. 419, entitled :

A bill for an act to amend section three of an act entitled, "An act concerning grand and petit juries," approved April 15, 1881, and being section 1387 of the Revised Statutes of 1881.

Read the first time and referred to the Committee on Judiciary.

Senator Duncan introduced Senate Bill No. 420, entitled :

An act concerning insurance companies organized on what is known as the assessment plan, and termed mutual insurance companies, authorizing their re-organization into stock companies, defining their powers and prescribing their limitations, and declaring an emergency.

Read the first time and referred to the Committee on Insurance.

Senator Kern introduced Senate Bill No. 421, entitled :

A bill for an act to amend section 1 of an act entitled "An act authorizing persons having claims against the State of Indiana to bring suit therefor in the Superior Court of Marion County, Indiana, and declaring an emergency," approved March 9, 1889, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator McCutchan presented a petition from the Geo. H. Chapman Post, No. 209, G. A. R., asking for the passage of the bill now pending before the General Assembly requiring Township Trustees to place the American flag over each school house in the respective townships of the State.

Read and referred to the Committee on Military Affairs.

Senator Mull introduced Senate Bill No. 422, entitled :

A bill for an act to amend section 2 of an act entitled "An act to amend an act entitled an act making it unlawful to give, barter or sell tobacco to certain children or to others for their use, or to induce said children to use the same, and providing penalties for violation thereof, enacted by the Legislature March 9, 1889," approved February 9, 1893.

Read the first time and referred to the Committee on Judiciary.

Senators McKelvey, Self, Phares and Bethell presented petitions asking for the passage of the Boord bill.

Read and referred to the Committee on Corporations.

By request Senator Self introduced Senate Bill No. 423, entitled :

A bill to amend section three (3) of an act entitled an act to encourage the breeding of improved stock, giving the owner of sires a lien upon their get; providing for the recording and enforcement of such lien, and affixing penalties for the violation of this act, approved March 8, 1889.

Read the first time and referred to the Committee on Agriculture.

The special committee, to which was referred Senate Bill No. 117, made the following report :

MR. PRESIDENT :

Your special committee, to which was referred Senate Bill No. 117, begs leave to report that it prepared a substitute for said bill, and recommend that such substitute be printed.

SELLER.

Substitute for Senate Bill No. 117 :

A bill for an act to prevent corrupt practices in elections, to prescribe the duties of candidates and political committees, and to provide penalties and remedies for the violation of this act, and to repeal all laws in conflict therewith.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That every person who shall, directly or indirectly, by himself or by any other person on his behalf, give, lend, or agree to give or lend, or shall offer, promise, or promise to procure or endeavor to procure, any money or other valuable consideration to or for any voter, or to or for any person on behalf of any voter, or to or for any other person, in order to induce any voter to vote or refrain from voting, or shall corruptly do any such act as aforesaid, on account of such voter having voted or refrained from voting at any election, or directly or indirectly, by himself, or by any other person on his behalf, give or procure, or agree to give or procure, or offer, promise to procure, or endeavor to procure, any office, place or employment, public or private, to or for any voter, or to or for any person on behalf of any voter, or to or for any other person, in order to induce such voter to vote or refrain from voting, or shall corruptly do any such act as aforesaid, on account of any

voter having voted or refrained from voting at any election, or directly or indirectly, by himself, or any other person on his behalf, make any such gift, loan, offer, promise, procurement or agreement as aforesaid, to or for any person in order to induce such person to procure, or endeavor to procure, the election of any person to a public office, or the vote of any voter at any election, or shall, upon or in consequence of any such gift, loan, offer, promise, procurement or agreement; procure or engage, promise or endeavor to procure, the election of any person to a public office, or the vote of any voter at any election, or shall advance or pay, or cause to be paid, any money to or for the use of any other person, with the intent that such money or any part thereof shall be expended in bribery at any election, or who shall knowingly pay or cause to be paid any money, wholly or in part, to be expended in bribery at any election, shall be deemed guilty of bribery in elections, and shall be punished by imprisonment in the State Prison for a term of not less than two years nor more than five years and disfranchised for any determinate period; and for every such offense he shall forfeit the sum of \$500, with costs of suit, to any person who shall sue for the same in the name of the State of Indiana, to the use of the person suing, in any Circuit Court of this State, having jurisdiction of the person of the defendant: *Provided, always,* That the foregoing enactment shall not extend to or be construed to extend to any money paid or agreed to be paid for, or on account of any legal expenses bona fide incurred at or concerning any election.

SEC. 2. Any candidate for any public office, or any person seeking to become the nominee of any party as such candidate who, within sixty days prior to any primary election or meeting held to select delegates to a convention to nominate a candidate for the public office which he seeks to obtain, or who, within sixty days prior to the election whereat an incumbent for the office so sought by him is to be chosen, by himself or by any other person, directly or indirectly, gives, or provides or pays, wholly or in part, or promises to pay, wholly or in part, the expense of giving or providing any meat, drink, entertainment or provisions to or for any person, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined fifty dollars for each offense, and all costs of prosecution.

**SEC. 3.** Every person who shall, directly or indirectly, by himself, or any other person on his behalf, make use of or threaten to make use of any force, violence or restraint, or inflict or threaten to inflict, by himself or by any other person, any injury, damage, harm or loss upon or against any person, in order to induce or compel such person to vote or refrain from voting at any election, or who shall, by abduction or duress, or by any fraudulent device or contrivance, impede or prevent the free exercise of the franchise of any elector, or shall thereby compel, induce or prevail upon any elector either to give or refrain from giving his vote at any election, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment in the county jail not less than three months nor more than twelve months, and shall pay all costs of prosecution.

**SEC. 4.** Every person who, at any election held pursuant to the laws of this State, applies for a ballot paper in any election room or polling place in the name of any other person than himself, whether that name be that of a person living or dead, or of a fictitious person, or who, having voted once at any election, applies for a ballot paper at the same election in his own name or any other name; or who aids, abets, counsels or procures the commission of any such act or acts, shall be guilty of personation, and upon conviction thereof shall be punished by imprisonment in the State prison for a term of not less than two years nor more than five years.

**SEC. 5.** Every person who shall be a candidate before any caucus or convention, or at any primary election, or at any election for any State, county, city, township, town, district or municipal office, or for Senator or Representative in the General Assembly of the State of Indiana, or for Senator or Representative in the Congress of the United States, shall keep a daily record of all expenses hereinafter named, and shall, within thirty days, and before he shall be inducted into such office he may have been elected to fill, after the election held to fill such office or place, make out and file with the officer empowered by law to issue the certificate of election to such office or place, and a duplicate thereof with the Auditor of the county in which such candidate resides, a statement in writing, which statement and duplicate shall be subscribed and sworn

to by such candidate before an officer authorized to administer oaths, setting forth in detail all sums of money contributed, disbursed, expended or promised by him, and to the best of his knowledge and belief by any other person or persons in his behalf, wholly or in part, in endeavoring to secure or in any way in connection with his nomination or election to such office or place, or in connection with the election of any other persons at said election, and showing the dates when and the person to whom and the purpose for which all such sums were paid, expended or promised. Such statement shall also set forth that the same is as full and explicit as affiant is able to make it. No officer authorized by law to issue commissions or certificates of election shall issue a commission or certificate of election to any such person until such statement shall have been so made, verified and filed by such persons with said officer. No person shall enter upon the duties of any elective office until he shall have filed statement and duplicate provided for in this section, nor shall he receive any salary or any emolument for any period prior to filing the same. Any person failing to comply with the provisions of this section shall be liable to a fine not exceeding one thousand dollars nor less than one hundred dollars.

SEC. 6. At any time within sixty days after such election held under the laws of this State or under the charter of any city therein any elector may present an application in writing, and verified by his affidavit to the Attorney-General, setting forth one or more of the following charges against such public officer, to wit: That at the election at which such public officer was elected, that votes that were secured by him or his agent or agents, or with his consent or connivance, or with the consent or connivance of his agent or agents, by some committee or organization, or some political party, of which party such public officer was a nominee, or by which he was supported, or the agent or agents of some such committee or organization, by paying, contributing, offering or promising to contribute money or other valuable thing as a compensation or reward, or by some promise or influence, the giving of such vote or votes, or that votes were withheld from such applicant by reason of which practices by or on behalf of such officer, agent, committee or organization, or by reason of some act on



behalf of such officer declared by this act as unlawful; and further, setting forth that the applicant desires the Attorney-General to bring an action to have such public office declared vacant on account of said violation of the laws concerning election. Such application shall be accompanied by a bond payable to the State of Indiana in the penalty of one thousand dollars, subscribed by two sureties, who shall justify as freeholders of the State, and in double the amount of such penalty, exclusive of all debts and liabilities, and property exempt by law from levy and sale on execution, such bond to be conditioned for the payment to the State of all taxable costs and disbursements, for which it may become liable for or on account of such action.

SEC. 7. It shall be the duty of the Attorney-General, within ten days after the receipt of such application and bond, to begin an action against such public officer, or to instruct the Prosecuting Attorney of the county in which such public officer resides, to bring such action within ten days after such notice, to have said office declared vacant, and for such other and further relief appropriate in an action against the usurper of any office or franchise, such action shall be deemed to be and shall be conducted according to the rules prescribed by law for action against the usurper of an office or franchise; and it shall be the duty of any Prosecuting Attorney to bring such action within ten days after the receipt of such notice from the Attorney-General.

SEC. 8. In case the Attorney-General and Prosecuting Attorney shall neglect or refuse to bring such action within the time limited in section 7 of this act, it shall be lawful for the applicant to bring such action in the name of the State, but at his own expense, and by his own attorney or attorneys; and in any action so brought by said applicant no recovery of costs and disbursements shall be had against the State: *Provided*, That in any case, whether instituted by the Attorney-General or by the Prosecuting Attorney or by the applicant in person, if the Court shall at any time, pending such action, find the bond given as aforesaid inadequate to cover the cost accrued or likely to accrue in the cause, or shall find any surety or sureties insufficient, additional bond or other sureties may be required by the Court, within such time and upon such terms

as the Court may order; and upon failure to comply with any such order of the Court such action may be dismissed at the cost of the applicant and his sureties. Such action shall have a preference on the docket of any Court of this State, in which the same shall be pending, over all other civil actions whatever.

Sec. 9. If it shall be determined in any such action that any one or more of the charges defined in section six of this act, and set forth in the petition, has been sustained, judgment shall be rendered ousting or excluding such defendant from such office, and for the costs of the action. But if no one of the charges set forth in the petition be sustained, judgment shall be rendered against such applicant for the costs of such action.

Sec. 10. No person shall be excused from answering any question on trial of such action relating to any of the acts claimed to have been committed by any party thereto, or any of the persons, committees or organizations mentioned in the eighth section of this act, on the ground that such answer would tend to incriminate or degrade such person or witness. But no such answer or answers shall be used in evidence against such witness in any criminal action, prosecution or proceeding whatever. Upon the trial of any person for the violation of any of the provisions of this act, evidence of acts and conduct on the part of the defendant, similar to those involved in the issue being tried, shall be competent on the question of intent.

Sec. 11. Any person or persons who shall be elected, appointed, chosen, or associated for the purpose, wholly or in part, of raising, collecting or disbursing money, or of controlling or directing the raising, collecting or disbursement of money for election purposes, and any person or persons who shall co-operate in the raising, collection or disbursement, or in controlling or directing the raising, collection or disbursement of money used or to be used in furtherance of the election or to defeat the election to public office of any person or any class of persons, or in furtherance of the enactment or to defeat the enactment of any law or ordinance, or constitutional provision, shall be deemed a political committee within the meaning of this act.

**SEC. 12.** Every political committee shall appoint and constantly maintain a treasurer, to receive, keep and disburse all sums of money which may be collected or received or disbursed by such committee, or by any of its members, for any of the purposes mentioned in section eleven of this act, for which such committee exists or acts; and, unless such treasurer is first appointed and thereafter maintained, it shall be unlawful and a violation of this act for a political committee or any of its members to collect, receive or disburse money for any such purpose. All money collected or received or disbursed by any political committee, or by any member or members thereof, for any of the purposes mentioned in section 11 of this act, and for which such committee exists or acts, shall be paid over and made to pass through the hands of the treasurer of such committee, and shall be disbursed by him; and it shall be unlawful and a violation of this act for any political committee, or for any member or members of a political committee to disburse or expend money for any of the objects or purposes mentioned in section eleven of this act, and for which such committee exists or acts, until the money so disbursed or expended shall have passed through the hands of the treasurer of such political committee.

**SEC. 13.** Every treasurer of a political committee, and every person who shall at any time act as such treasurer, shall, whenever he receives or disburses money as such treasurer, or for or on account of any of the objects or purposes mentioned in section eleven of this act, immediately enter and thereafter keep, in a proper book or books, to be provided and preserved by him, a full, true and detailed statement and account of each and every sum of money so received or disbursed by him, setting forth in such statement the sum so received or disbursed as the case may be, and the date when and the person from whom received or to whom paid, as the case may be, and the object and purpose for which such sum of money was received or disbursed.

**SEC. 14.** Every treasurer of a political committee, as defined in this act, and every person who shall act as such treasurer shall, within thirty days after each and every election, whether State, county, city, municipal, town, township or district election, in or concerning or in connection with which he shall have re-

ceived or disbursed any money for any of the objects or purposes mentioned in section 11 of this act, prepare and file in the office of the Auditor of the county in which such treasurer resides a full, true and detailed account and statement, subscribed and sworn to by him before an officer authorized to administer oaths, setting forth each and every sum of money received or disbursed by him for any of the objects or purposes mentioned in section 11 of this act, the date of each receipt and each disbursement, the name of the person from whom received and to whom paid, and the object or purpose for which the same was received, and the object or purpose for which disbursed. Such statement shall also set forth the unpaid debts and obligations of any such committee, with the nature and amount of each, and to whom owing, in detail, and if there are no unpaid debts or obligations of such committee such statement shall state such fact.

SEC. 15. Every officer required by law to issue certificates of election or commissions as the result of elections, shall receive and file in his office and there keep as part of the records thereof, for four years after they are filed, all statements and accounts required by this act to be filed with him. Such statements and accounts shall, at all reasonable times, be open to public inspection. After four years succeeding the filing of such statements and accounts, they shall be destroyed by burning by such officer or his successor. Copies of such statements, certified by such officer, under the seal of his office, of any such statement or statements, and a copy so certified shall be admitted in evidence in all courts with like force and effect as the original would have if produced.

SEC. 16. Every treasurer of a political committee, as defined in this act, who shall willfully fail, neglect or refuse to make out, verify and file with the Auditor of the county, the statement required in section 14 of this act, shall be guilty of a misdemeanor, and upon conviction therefor shall be fined not less than fifty nor more than five hundred dollars.

SEC. 17. Every treasurer of a political committee, and every person who shall receive any money to be applied to any of the purposes mentioned in section 11 of this act, who shall either neglect or fail to keep a correct book or books of account, setting forth all the details required to be set forth in

the account and statement contemplated in sections 13 and 14 of this act (except that the book or books need not be subscribed or sworn to), with intent to conceal the receipt or disbursement of any such sum received or disbursed by him or by any other person, or the purpose or object for which the same was received or disbursed, or to conceal the fact that there is any unpaid debt or obligation of such treasurer or committee, or the nature or amount thereof, or to whom owing in detail; or who shall mutilate, deface or destroy any such book or books of account, with intent to conceal any fact disclosed by such book or books; or who shall fail to file the statement and account contemplated by said section 14 within five days after he shall receive notice in writing, signed by five resident freeholders of the county in which such treasurer or political committee or person resides, requesting him to file statement and account, shall be guilty of a misdemeanor, and, on conviction, shall be imprisoned in the county jail for not less than two nor more than six months.

SEC. 18. All laws and parts of laws in conflict, or inconsistent, with the provisions of this act be and the same are hereby repealed:

*Provided, however,* That the provisions of this act shall not be deemed to repeal an act entitled "An act to secure the purity and freedom of the ballot, and to repeal sections 1, 2, 3 and 5 of an act entitled 'An act to protect the ballot box, to procure fair elections, to prevent the purchase or sale of votes, to provide means of proving such offenses, prescribing the punishment therefor, and repealing sections 268 and 269 of an act concerning public offenses and their punishment, approved April 14, 1881, being sections 2184 and 2185 of the Revised Statutes of 1881, and repealing all laws and parts of laws in conflict with the provisions of this act,'" approved March 9, 1889, but shall be deemed to be in addition and supplemental thereto in so far as applicable.

The report of the committee was concurred in, and the bill was ordered printed.

Senator Shiveley presented petitions from the citizens of Wayne county asking for the passage of the Nicholson Bill.

Read and referred to the Committee on Temperance.

Senator Watson introduced Senate Bill No. 424, entitled :

A bill for an act concerning crimes and fixing the punishment for second and third convictions, repealing all laws and parts of laws in conflict herewith.

Read the first time and referred to the Committee on Judiciary.

Senator Watson introduced Senate Bill No. 425, entitled :

A bill for an act concerning the release and return of the prisoners of the prisons, defining the duties of the clerks of the prisons and the Sheriffs of the several counties of this State, prescribing the punishment for the violation thereof; repealing all laws and parts of laws in conflict herewith.

Read the first time and referred to the Committee on Prisons.

Senator Phares, Chairman of the Committee on Swamp Lands and Drains, made the following report :

MR. PRESIDENT :

Your Committee on Swamp Lands and Drains, to which was referred Concurrent Resolution No. 18, introduced by Senator Holler, begs leave to report the same back to the Senate, with the recommendation that it be adopted.

ISAAC H. PHARES,  
Chairman.

The report was concurred in.

The following reports were made by the special committee to which was referred Senate Resolution No. 16 :

MR. PRESIDENT :

The majority of your special committee, to which was referred Senate Resolution No. 16, introduced by Senator Seller, begs leave to report that they have had the same under consideration, and recommend that the same be indefinitely postponed.

H. C. DUNCAN,  
CHAS. E. SHIVELEY,  
O. N. CRANOR.

MR. PRESIDENT :

A minority of your Committee on Revision of the Statutes,

to which was referred Senate Resolution No. 16, introduced by Senator Seller, begs leave to report the same back to the Senate with the recommendation that the committee be instructed to report a bill for the immediate revision and re-compilation of the statutes.

J. M. SELLER,  
R. F. STUART.

The majority report was concurred in.

Senator Ellison offered the following resolution :

MR. PRESIDENT :

I desire to introduce the following resolution :

That whereas, the Committee on Cities and Towns have considered the bills relating to pensions of firemen ; that Senate Bill No. 386 be withdrawn from the Committee on Corporations and referred to the Committee on Cities and Towns.

ELLISON.

The resolution was adopted.

Senate Bill No. 96 was read the second time and ordered engrossed.

Senator Rinear introduced Senate Bill No. 426, entitled :

A bill for an act to provide for the levy of a tax by Township Trustees and Trustees of incorporated towns for a fund to compensate teachers for janitor work, providing for the control and management of such fund, and declaring an emergency.

Read the first time and referred to the Committee on Finance.

Senate Bill No. 265 was read the second time.

Senator Ellison offered Amendment No. 1, as follows :

MR. PRESIDENT :

I move to amend section 1 of Senate Bill No. 265 by striking out the word day, in line .7, and inserting the word week in lieu thereof.

ELLISON.

The amendment was adopted and the bill was ordered engrossed.

Senate Bill No. 101 was read a second time.

Senator Ellison offered Amendment No. 1, as follows :

MR. PRESIDENT :

I move to amend section 4 of Substituted Senate Bill No. 101 by inserting "If a majority of those interested in such work designate such person, the Board shall appoint him," after the word work, in line 74; and by inserting the words after the word best, in line 77, "that if any land owner desire to do the work upon his land upon as good terms as any other person offers to do the same, and the giving such land owner such job will not increase the cost of the doing of the other work nor interfere with such other work or the prompt and efficient doing of such work, such land owner shall be given such job."

ELLISON.

On motion of Senator Gifford the further consideration was postponed until to-morrow at 2 o'clock.

The Committee on Agriculture made the following reports :

MR. PRESIDENT :

Your Committee on Agriculture would report the following as a substitute for Senate Bill No. 67, as introduced by Senator Ellison :

An act to prevent the adulteration of dairy products and other articles of food in certain cases; to regulate the manufacture of adulterated articles of food and the sale thereof when adulterated in certain cases; providing penalties for the violation of this act, and the manner in which the violation thereof shall be punished.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana, That no person shall mix any article of food or article which enters into the composition of food with any other ingredient or material when injurious to health; as so mixed, for the purpose of gain or profit, or sell or offer for sale the same, or order or permit any other person to sell or offer for sale any articles so mixed, unless the same be manufactured, used or sold or offered for sale under its true and appropriate*



name and notice that the same is mixed or impure is marked, printed or stamped upon each package, roll, parcel or vessel containing the same, so as to be and remain at all times readily visible.

SEC. 2. No person shall use any skim milk, or milk that is partly skimmed, in the manufacture of cheese, or mix any oleomargarine, swine, beef fat, lard or any other foreign substance with butter intended for human food, except as herein provided.

SEC. 3. No person shall mix or mingle any skim milk, oleomargarine, swine, beef fat, lard, with any butter, cheese or cooking compound, intended for human food, without distinctly marking, stamping and labeling the article, or package, containing the same, with a true and appropriate name for such article, with the contents thereof, and the percentage in which oleomargarine, beef fat, swine, lard, enters into its combination, nor shall any person sell, or offer for sale, or permit to be sold, by himself or his agents, any of such food into the composition of which such skim milk, oleomargarine, swine, beef fat, or lard has entered, without, at the same time, informing the purchaser thereof.

SEC. 4. No person, by himself or his agents or servants, shall render or manufacture, sell, offer for sale, expose for sale, or have in his possession, with intent to sell, any article, product, or compound, made wholly or partly out of any fat, oil or oleaginous substance or compound thereof, not produced directly and at time of manufacture, from unadulterated milk or cream from the same, which shall be in imitation of yellow butter produced from pure unadulterated milk or cream from the same: *Provided*, That nothing in this act shall be construed to prohibit the manufacture or sale of oleomargarine in a separate and distinct form, and in such manner as will advise the consumer of its real character, free from coloration or ingredient that causes it to look like butter.

SEC. 5. Every person who lawfully manufactures any substance designed to be used as a substitute for butter or cheese, or a compound to be used for cooking purposes, shall mark by branding, stamping or stenciling upon the top and side of each box, firkin, tub, or other package in which said article shall be

kept and in which it shall be removed from the place where it is produced in a plain and durable manner, in the English language, the words "a substitute for butter," or "a substitute for cheese," or "a compound for cooking purposes," as the case may be, in printed letters in plain Roman type, each of which shall not be less than one (1) inch in length by one-half ( $\frac{1}{2}$ ) inch in width.

SEC. 6. No person by himself or another shall ship, consign or forward in any way, whether a public or private conveyance, any substance designed to be used as a substitute for butter or cheese, and no carrier shall knowingly receive the same for the purpose of forwarding or transporting unless it shall be manufactured and marked as provided in the preceding section of this act, and unless it be consigned by the carrier and receipted for by its true name: *Provided*, This act shall not apply to any goods in transit between foreign States across the State of Indiana.

SEC. 7. Every keeper or proprietor of any bakery, hotel, boarding house, restaurant, saloon, lunch-counter, or any place of public entertainment, who shall keep, use or serve therein, either as food for his guests, boarders, patrons, customers, or employes, or for cooking purposes, any imitation butter or cheese, or other compound, or who shall serve any substance designed as a substitute for butter or cheese, as herein defined, shall display and keep posted a card opposite each table, in a conspicuous place, where the same may be easily seen and read in the dining room, lunch-room, restaurant, bakery, hotel, boarding house, saloon or place of public entertainment, and places where such substitute is sold or disposed of, which card shall be white, and in size not less than ten (10) by fourteen (14) inches, on which shall be printed in plain black Roman letters not less in size than one (1) inch in length and one half ( $\frac{1}{2}$ ) inch in width, the words "a substitute for butter used here," or "a substitute for cheese used here," or "adulterated products used in cooking here," as the case may be; and said cards shall not contain any other words than the ones above described.

SEC. 8. No person shall deface, erase, cancel or remove any mark provided for by this act, with intent to mislead, deceive any person or violate any of the provisions of this act.

SEC. 9. Any person or persons violating any of the provisions of any of the foregoing sections of this act shall be deemed guilty of a misdemeanor and upon conviction for the first offense be fined not less than ten dollars (\$10) nor more than fifty dollars (\$50); for the second offense they shall be fined not less than fifty dollars (\$50) nor more than two hundred dollars (\$200), and for the third and all subsequent offenses they shall be fined not less than two hundred dollars (\$200) and not more than five hundred dollars (\$500), to which may be added imprisonment in the county jail for a period not more than six (6) months.

There shall be assessed as costs in every case where an analysis of a sample of impure, adulterated or imitation food or dairy products has been offered in evidence, the cost and expense of making the same not to exceed twenty dollars (\$20), which, when collected, shall be paid over to the Dairy and Food Commissioner of the State of Indiana, which shall be used by him to defray and pay the expense of having made such test.

SEC. 10. It shall be the duty of the State Dairy and Food Commissioner to enforce the provisions of this act.

SEC. 11. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

C. HOLLER,  
Chairman.

MR. PRESIDENT:

The minority of your Committee on Agriculture, to which was referred back Senate Bill No. 67, introduced by Senator Ellison, begs leave to recommend that section 8 of said bill be stricken out; that section 9 be substituted for section 8; that section 10 be substituted for section 9; that section 11 be substituted for section 10; that section 12 be substituted for section 11; that section 13 be substituted for section 12; and when so amended that the bill do pass.

C. HOLLER,  
L. SCHNECK,  
W. J. BETHELL.

Senator Holler moved that the minority report be substituted for the majority report.

Which motion prevailed.

The minority report was then concurred in.

Senator LaFollette offered Amendment No. 1 as follows :

MR. PRESIDENT :

I move to amend Senate Bill No. 67 by striking out the word "consumer" in line 9, section 4, and inserting in lieu thereof the words "purchaser," and by striking out of lines 9 and 10 the following words : "Free from coloration or ingredient that causes it to look like butter."

LaFOLLETTE.

Senators Ellison and Holler demanded the ayes and noes.

Those voting in the affirmative were :

Senators Barnes, Bethell, Collett, Crumpacker, Duncan, Gifford, Gostlin, Kern of Marion, LaFollette, Leyden, McCutchan, McKelvey, McManus, O'Brien, Rinear, Schneck, Self, Shiveley, Stuart, Vail, Watson, White. Total, 22:

Those voting in the negative were :

Senators Beck, Bird, Boord, Cranor, Ellison, Holler, Humphreys, Johnston, Kerns of Vermillion, McCord, McDonald, McHugh, McLean, Mull, Parker, Phares, Seller, Wray, Houghton, Alexander. Total, 20.

So the amendment was adopted.

The bill was then ordered engrossed.

The following message was received from the Governor :

*To the President of the Senate :*

Grave charges have been made seriously reflecting upon the Superintendent and the management of the School for Feeble Minded Youth, located at Fort Wayne. The charges preferred have not come in the manner as such accusations should, not supported by affidavit, and drawn from employes and subordinates of that institution, as I have been informed, under assurance, from the chairman of the legislative committee visiting the school, that their statements should not be made public.

A method of securing information that can not be generally commended, affording as it does the means for dissatisfied employes to assail the character of superior officers without proper safeguards. The public has the right to expect and demand a full, just and impartial investigation. The Superintendent, whose reputation and character is at stake is surely entitled to one. Such investigation can not, for obvious reasons, be had in a complete and thorough manner, except at the institution itself. Persons as witnesses necessary to secure this end can not be brought from the school to this city without serious injury to the conduct of the school. Therefore, I ask that the Senate may order this investigation to be held at the institution, and conducted by a committee who may be controlled by no other motive than to arrive at the facts in the case alike honorable and fair to the institution, its management and the public.

If the Senate Committee can not spare the time necessary, then I would insist that the State Board of Charities be authorized to make this investigation without delay, and report the same to the General Assembly.

CLAUDE MATTHEWS,

Governor.

Senator Ellison offered the following resolution :

MR. PRESIDENT :

I move that the Governor of this State be requested to cause an investigation to be made by the State Board of Charities at Fort Wayne, Indiana, and such other places as may be necessary concerning the truth or falsity of the charges and insinuations that have been made against Superintendent Johnson, of the Institute for Feeble-Minded Youth, and that such Board make report of their finding to this Senate before the close of this session.

ELLISON.

Senator Boyd moved to reject the resolution.

Which motion prevailed.

Senator Parker offered the following resolution :

*Resolved*, That a sub-committee consisting of two members of the majority of the benevolent institution's committee and one of the minority of said committee be chosen by said committee and that such sub-committee proceed to the city of Fort Wayne not later than Friday of this week, and there and then begin the investigation of any charges made or that may be made by that time against Superintendent Johnson and continue the investigation until completed, and report the results to this Senate.

PARKER.

Senators Boyd and Newby demanded the ayes and noes.

Those voting in the affirmative were :

Senators Alexander, Barnes, Beck, Bird, Ellison, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Wray. Total, 18.

Those voting in the negative were :

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Duncan, Gostlin, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White. Total, 26.

So the resolution was lost.

Senator Vail, Chairman of the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills, to which was referred Senate Enrolled Bill No. 125, introduced by Senator Wishard, begs leave to report that they have compared the enrolled bill with the bill as passed by the Senate and find the same to be correct.

L. W. VAIL,  
Chairman.

Which report was concurred in.

Senator Vail, Chairman of the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills, to which was referred Senate Enrolled Bill No. 120, introduced by Senator Wishard, begs leave to report that they have compared the enrolled bill with the bill as passed by the Senate, and find the same to be correct.

L. W. VAIL,  
Chairman.

Which report was concurred in.

Senator Vail, Chairman of the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills, to which was referred Senate Enrolled Bill No. 204, introduced by Senator Self, begs leave to report that they have compared the enrolled bill with the bill as passed by the Senate and find the same to be correct.

L. W. VAIL,  
Chairman.

Which report was concurred in.

The following messages were received from the President of the Senate:

*To the Senate:*

I have signed Enrolled Act No. 120, introduced by Senator Wishard.

MORTIMER NYE,  
President of the Senate.

*To the Senate:*

I report that I have signed Enrolled Act No. 125, introduced by Senator Wishard.

MORTIMER NYE,  
President of the Senate.

February 18, 1895.

*To the Senate:*

I report that I have signed Enrolled Senate Bill No. 204, introduced by Senator Self.

MORTIMER NYE,  
President of the Senate.

February 18, 1895.

Senator Stuart moved that the vote by which Amendment No. 1 to Senate Bill No. 67 was adopted be reconsidered.

Those voting in the affirmative were:

Senators Alexander, Beck, Bird, Cranor, Duncan, Ellison, Holler, Humphreys, Johnston, Kerns of Vermillion, McDonald, McHugh, McLean, Mull, O'Brien, Parker, Rinear, Seller, Stuart, White, Wray. Total, 21.

Those voting in the negative were:

Senators Baker, Barnes, Bethell, Boyd, Collett, Gifford, Gostlin, LaFollette, Leyden, McCutchan, McKelvey, McManus, Phares, Schneck, Self, Shiveley, Vail, Watson. Total, 18.

So the amendment was reconsidered.

The question being on the adoption of Amendment No. 1 to Senate Bill No. 67.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Baker, Barnes, Bethell, Boyd, Collett, Crumpacker, Duncan, Gifford, Gostlin, LaFollette, Kern, Leyden, McCutchan, McKelvey, McManus, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White, Wishard. Total, 25.

Those voting in the negative were:

Senators Alexander, Beck, Bird, Cranor, Ellison, Holler, Humphreys, Kerns, McDonald, McHugh, McLean, Mull, Rinear, Seller, Stuart, Wray, Johnston. Total, 17.

So the amendment was adopted.

Senator Crumpacker moved that the further consideration of this bill be indefinitely postponed.



Senators Crumpacker and Gostlin demanded the ayes and noes.

Those voting in the affirmative were :

Senators Barnes, Boord, Crumpacker, Duncan, Gostlin, La-Follette, Leyden, McCutchan, Self, Vail, White. Total, 11.

Those voting in the negative were :

Senators Alexander, Baker, Beck, Bethell, Bird, Bozeman, Cranor, Ellison, Holler, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, McCord, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Seller, Shiveley, Stuart, Watson, Wishard, Wray. Total, 32.

So the motion was lost.

The bill was then ordered engrossed.

Senator Duncan offered Senate Concurrent Resolution No. 19, as follows :

WHEREAS, The Constitution of the State of Indiana, Article XV, Section 5, provides that "There shall be a seal of State kept by the Governor for official purposes, which shall be called 'The Seal of the State of Indiana,'" and there has never been any legislative enactment by the General Assembly of Indiana defining what shall be the design of the seal of our State, or in any way providing for any authorized seal of State, but there has been used by the various officers of State for a period of 80 years, various and different forms of seal of State, with the general design of the rising sun, the buffalo and the woodman wielding his ax on the tree, but differing widely in the particulars of said design, and some of said seals having the words, "The Seal of the State of Indiana" thereon and some not having said words; and,

WHEREAS, It is desirable and demanded by the public business of the State, that Indiana should have a definite, well defined and legally authorized seal of State with an appropriate and certain design thereon, so that there may be uniformity and certainty in the official attestation of our State documents and certificates, and so that Indiana may be fully abreast with the other States of the Union, all of which have a well defined seal of State by legal enactment; and,

WHEREAS, Hon. R. S. Hatcher, the Reading Clerk of this Senate, has given the subject of heraldry years of study and investigation, and has a thorough information upon all seals of State and coats of arms thereof, of the different States of the United States, as well as the seals of State and coats of arms of foreign countries; therefore,

*Resolved*, That R. S. Hatcher be, and he is hereby, appointed a special commissioner to investigate the matter of the seal of the State of Indiana and report to this Senate the facts in connection with its use in said State, and whether said State has any legally authorized great seal or coat of arms, for the consideration of the Senate.

H. C. DUNCAN.

Read and referred to the Committee on Education.

House Bill No. 333, which had been made a special order for this afternoon, was now taken up.

The bill was read the second time by title and advanced to the third reading.

Senator Shiveley moved that the constitutional rule requiring bills to be read on three several days be suspended, and that the bill be read the third time and placed upon its passage.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were :

Senators Alexander, Baker, Beck, Bethell, Boyd, Bozeman, Collett, Ellison, Gifford, Gostlin, Holler, Houghton, Humphreys, Johnston, Kerns of Vermillion, LaFollette, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, White, Wray. Total, 37.

Senator Leyden voting in the negative.

So the constitutional rule was suspended, the bill was read the third time and placed upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boyd, Bozeman, Collett, Cranor, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, O'Brien, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, White, Wray. Total, 41.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate amendments to H. B. No. 32, the same being a bill for an act providing pensions for disabled firemen, etc., and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Also the following message from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 282 and 525, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 525, entitled :

A bill for an act authorizing the Governor, Auditor and Treasurer of State to issue and sell the bonds of the State for the purpose of providing for the payment of any part of the bonded debt of the State heretofore created, and concerning matters in connection therewith, and declaring an emergency.

Read the first time and referred to the Committee on Finance.

Engrossed House Bill No. 282, entitled :

A bill for an act to amend sections fourteen (14), seventeen (17), eighteen (18), twenty-three (23), twenty-six (26), thirty-one (31), thirty-eight (38), forty-seven (47), fifty-one (51), fifty-two (52), fifty-four (54), fifty-five (55), fifty-nine (59), sixty (60), sixty-one (61), sixty-three (63), sixty-four (64), seventy-three (73), seventy-four (74), seventy-seven (77), eighty-one (81), eighty-five (85), eighty-six (86), eighty-seven (87), eighty-eight (88), eighty-nine (89), ninety (90), ninety-one (91), ninety-three (93), ninety-four (94), one hundred and nine (109), one hundred and fifteen (115), one hundred and sixteen (116), one hundred and twenty-two (122), one hundred and thirty-one (131) and one hundred and forty-eight (148) of an act of the General Assembly of the State of Indiana, entitled, "An act concerning the incorporation and government of cities having more than fifty thousand and less than one hundred thousand population, according to the last preceding United States census, and matters connected therewith, and declaring an emergency," approved March 3, 1893, and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

Senate Bill No. 347 was read the second time and ordered engrossed.

Senate Bill No. 349 was read the second time and ordered engrossed.

Senate Bill No. 284 was read the second time and ordered engrossed.

Senate Bill No. 289 was read the second time and ordered engrossed.

Senate Bill No. 129 was read the second time and ordered engrossed.

Senate Bill No. 102 was read the second time and ordered engrossed.

Senator Kern, by request, introduced Senate Bill No. 427, entitled :

A bill for an act regulating the sale of groceries damaged by fire or water, and prescribing penalties for the violation thereof, and declaring an emergency.

Read the first time and referred to the Committee on Public Health.

Senate Bill No. 308 was read the second time and ordered engrossed.

Senate Bill No. 370 was read the second time and ordered engrossed.

Senate Bill No. 327 was read the second time and ordered engrossed.

Senate Bill No. 369 was read the second time.

Senator Watson offered Amendment No. 1 as follows :

MR. PRESIDENT :

I move to strike out all of section one (1) after the word "provided" in line 11 of said section.

WATSON.

The amendment was adopted and the bill, as amended, was ordered engrossed.

Senate Bill No. 371 was read the second time and ordered engrossed.

Senator Newby, Chairman of the special committee, to which was referred Senate Bill No. 246, made the following report :

MR. PRESIDENT :

Your Committee of One, to which was referred Substitute Senate Bill No. 246, begs leave to report the same back to the Senate, and recommends the following amendments, to wit: By inserting the word "contract" after the word "legal" in line 5 of section 1, and by inserting after the word "mortgage" in line 8 of section 1 the following words, to wit: "Which shall be made non-negotiable." That the word "monthly" be

stricken out of line 2 of section 2; and by inserting in line 10 of section 3 after the word "immunities" the following words, to wit: "Except the amount of dues paid, less fines and penalties." And by inserting after the word "force" in line 14 of said section the following words: "That in case of default in the payment of the installment of dues, fines, charges or interests, as is herein provided, the person so naming such default shall be entitled to recover, either in an original action or as an off-set or counter-claim to the action of foreclosure or other action brought by any such association, the amount of dues he has paid, less the amount of fines and forfeitures that may have been assessed against him." To strike out all that part of lines 2, 3 and 4 of section 4 after the word "State" in line 2, to and including the word "annum" in line 4, and insert in lieu thereof the following words, to wit: "To charge interest and premiums not to exceed 10 per cent. per annum." By striking out section 7, and by striking out the word "fifth" in line 3 of section 8, and inserting the word "fifteenth" in lieu thereof. By inserting after the word "expenses" in line 10 of said section the following words: "And shall send a copy of such statement to each stockholder of such association"; and by inserting after the word "of" in line 8 of said section the following words: "And the net earnings of such association."

NEWBY.

Senator LaFollette moved to recommit Senate Bill No. 246 to the author for the purpose of revision.

Which motion prevailed.

Senator Vail offered the following substitute for Substitute Senate Bill No. 246 as amended:

MR. PRESIDENT:

I offer as a substitute for Senate Bill No. 246 the following:

A bill for an act providing for the payment of the expenses of building, loan fund and savings associations, and vesting the power of fixing the same in the stockholders, and requiring an itemized statement of such expenses to be filed with the Auditor of State and furnished stockholders on demand, and other matters relating thereto, and repealing all laws and parts of laws in conflict therewith.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Indiana,* That all building, loan fund and savings associations doing business in the State of Indiana shall be required to file with the Auditor of State with the July statement of each year now required by law, an itemized statement sworn to by the President and Secretary of such association, showing the amount paid by such association for salaries, giving the amount paid to each officer, director or member of any committee, also the amount paid for clerical services and to whom paid; also the amount paid for office rent, printing, stationery, advertising, postage and other supplies and for office sundries, and the amount paid for exchange and collections. If there should be any item of expense not enumerated above it shall be set forth in said annual statement in the same manner as the items of expense herein specifically designated. And shall be required to print a sufficient number of copies of such statement of expenses as may be required for the purpose herein specified and on reasonable demand of any stockholder of such association shall furnish such stockholder with a copy thereof.

**SEC. 2.** The directors of such associations shall have no power to provide the manner of paying the expenses of any such association or the amount to be used for such purpose, but the manner of paying expenses and the limit thereof shall be determined and fixed by the stockholders: *Provided,* That the amount so to be used shall not exceed the sum of ten cents per month on each share of stock of the par value of \$100, or in like proportion upon shares of stock of other denominations. The amounts so used for expenses shall be proportioned among the stockholders according to the average number of shares in force in such association for the preceding year, and in the annual statement provided for herein, the amount per share used for expenses shall be set forth in dollars and cents. And at the end of each fiscal year such associations shall turn back and credit to the profit account any surplus remaining of the amounts set apart for the expense fund of the preceding year, and the sum so turned back shall be distributed pro rata to the credit of the common stock of the association.

**SEC. 3.** In case any stockholder desiring to receive a copy of the annual statement of the association in which he holds stock, together with the statement of the expenses of such

association as provided in this act, he shall notify the association of which he is a member of such desire, and it shall be the duty of the Secretary thereof to mail to such stockholder a copy of said annual statement within ten days after receiving such notification, and upon failure to do so, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$100.00.

SEC. 4. All such corporations shall have the power to create a fund for the payment of losses, if any, by setting aside from the profit account annually such sum for that purpose as may be determined upon by the stockholders: *Provided*, That such sum shall at no time exceed 5 per cent. of the mortgage assets of such corporation.

SEC. 5. All laws and parts of laws in conflict herewith are hereby repealed. VAIL.

Senator Kern offered Amendment No. 1, as follows:

MR. PRESIDENT:

I move to amend Substitute Senate Bill No. 246, as follows:

By adding to section 2 the following: *Provided*, That the entire amount which shall be directly or indirectly paid to officers and attorneys in any one year, as salaries or compensation, fixed or otherwise, shall not exceed \$3,500.

KERN.

Senator Shiveley offered Amendment No. 2, as follows:

MR. PRESIDENT:

I move to strike out section 4 of Senate Bill No. 246.

SHIVELEY.

Senator Parker moved that the bill, with the report thereon, and the amendments thereto, be printed and made a special order for 10 o'clock Tuesday.

Which motion prevailed.



Senate Bill No. 55 was read the second time.

Senator Kern offered Amendment No. 1, as follows :

MR. PRESIDENT :

I move to amend Senate Bill No. 55 by striking out the words " ninety-five " in line 4 of section 1, and inserting in lieu thereof the words " ninety-six."

KERN.

Senator Kern moved to make the same a special order for Friday.

The motion was lost.

Senator Newby moved to reject the amendment.

Senator Newby moved the previous question.

Which was seconded by the Senate.

The question being on the adoption of Amendment No. 1.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Barnes, Beck, Bird, Ellison, Gifford, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Wray. Total, 18.

Those voting in the negative were :

Senators Baker, Bethell, Bird, Boord, Boyd, Collett, Cranor, Crumpacker, Duncan, Gostlin, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Mull, Newby, O'Brien, Phares, Schneck, Self, Vail, Watson, White, Wishard. Total, 27.

So the amendment was lost.

The bill was ordered engrossed.

Senator Wray introduced Senate Bill No. 428, entitled :

A bill for an act to provide for the repairs and working of highways and parts of highways situated wholly within one county and contiguous to or near by the county line of such county.

Read the first time and referred to the Committee on Roads.

Senator Newby offered the following resolution :

WHEREAS, The supply of printed copies of the Senate rules has been exhausted.

*Resolved*, That the Secretary of the Senate cause to be printed 200 copies of the same, and that 100 copies of the edition be deposited with the State Librarian, for the use of the Senate of the next General Assembly.

The resolution was adopted.

The following message was received from the House:

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 168 and House Concurrent Resolution No. 7, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 168, entitled :

A bill for an act providing for instruction concerning the effect of narcotics and stimulants upon the human system.

Read the first time and referred to the Committee on Education.

House Concurrent Resolution No. 7, as follows :

*Be it resolved by the House of Representatives, the Senate concurring*, That our Representatives and Senators in Congress be requested and instructed to urge the passage of a bill by Congress restricting the power of the Federal Courts in the matter of railroad receiverships so that a more speedy foreclosure of mortgages upon railroads may be obtained than is now had and a reasonable limit set to the operation of railroads by said courts.

STOTSENBURG.

Read the first time and referred to the Committee on Judiciary.

Senator Kern introduced Senate Bill No. 429, entitled :

A bill for an act to regulate the practice of dentistry, providing penalties, and repealing all laws in conflict herewith.

Read the first time and referred to the Committee on Public Health.

Senate Bill No. 295 was read the second time and ordered engrossed.

Joint Resolution No. 1 was read the second time and ordered engrossed.

Senate Bill No. 322 was read the second time and ordered engrossed.

Senate Bill No. 250 was read the second time and ordered engrossed.

Senate Bill No. 372 was read the second time and ordered engrossed.

Senate Bill No. 350 was read the second time.

Referred to author for purpose of correcting.

Engrossed House Bill No. 459 was read the second time and advanced to third reading.

Senator Schneck introduced Senate Bill No. 480, entitled :

A bill for an act to provide for an investigation of the cause of fires, and providing for the punishment of persons by whose intention or neglect such fires occurred.

Read the first time and referred to the Committee on Insurance.

Senate Bill No. 361 was read a second time.

Senator Kerns offered Amendment No. 1, as follows:

MR. PRESIDENT:

I move to amend Senate Bill No. 361, introduced by Senator Seller: Strike out the words "with any," at the end of line three, and insert the words, "any two gravel roads."

KERNS.

The amendment was lost.

The bill was then ordered engrossed.

Senate Bill No. 389 was read the second time.

Senator Seller offered the following substitute bill:

MR. PRESIDENT:

I move that the following be substituted for Senate Bill No. 389:

Substitute Senate Bill No. 339.

A bill for an act defining a certain public offense and providing penalties for the violation thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That whoever hunts with a dog or dogs, or hunts or shoots with any kind of firearms, on enclosed lands, without having first obtained the written consent of the owner or occupant thereof, shall, upon conviction thereof, be fined in any sum not more than fifty dollars nor less than five dollars: *Provided*, That no prosecution shall be instituted under the provisions of this section, except upon the consent of the owner of the land entered: *Provided further*, That the provisions of this section shall not apply to wet or overflowed lands.

SEC. 2. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in force from and after its passage.

SELLER.

The bill was ordered engrossed.

Senate Bill No. 373 was read the second time and ordered engrossed.

Senate Bill No. 164 was read the second time and ordered engrossed.

Senate Bill No. 25 was read the second time and ordered engrossed.

Senate Bill No. 149 was read the second time and ordered engrossed.

Senate Bill No. 211 was read the second time and ordered engrossed.

Senate Bill No. 257 was read the second time and ordered engrossed.

Engrossed House Bill No. 28 was read the second time and ordered to its third reading.

Engrossed House Bill No. 186 was read the second time and ordered to its third reading.

Engrossed House Bill No. 812 was read the second time and ordered to its third reading.

Senate Bill No. 860 was read the second time and ordered engrossed.

On motion of Senator Kern the Senate adjourned.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.

## TUESDAY MORNING.

FEBRUARY 19, 1895.

The Senate met pursuant to adjournment, with the Lieutenant-Governor in the chair.

Rev. W. P. Barnhill, of the California Street M. E. Church, offered prayer.

After a portion of the Journal had been read, on motion of Senator Kerns the further reading of the same was dispensed with.

Senator O'Brien, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 364, introduced by Senator O'Brien, by request, begs leave to report the same back to the Senate, with the recommendation that it do pass.

JAMES O'BRIEN,  
Chairman.

Which report was concurred in.

Senator O'Brien, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 386, introduced by Senator Ellison, begs leave to report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

JAMES O'BRIEN,  
Chairman.

Which report was concurred in.

Senator Wray offered the following resolution :

WHEREAS, Senate Bill No. 65 was introduced in this Senate on the 14th day of January, 1895, being the fifth day of the session, and was referred to the Committee on Corporations, and afterwards, and more than one week ago, said bill was considered by said committee, which acted thereon, and decided to make a report recommending the passage of said bill, and said report was prepared, and afterwards the same, together with said bill, was, by the chairman of said committee, turned over to a member of this Senate, who is not a member of said committee, for examination, and is not now in the hands of the committee, or its chairman, therefore,

*Resolved*, That the chairman of said committee is hereby directed to secure said bill and report, and present the same to the Senate for action thereon, at the next call of standing committees.

A. F. WRAY.

On motion of Senator Wishard, the resolution was laid on the table.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 167, House Joint Resolutions Nos. 1 and 3, and House Concurrent Resolution No. 5, also, House Joint Resolution No. 5, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 167:

A bill for an act defining prize-fighting, and providing the punishment of persons who engage therein, providing who shall be accessories, and fixing their punishment, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Engrossed House Joint Resolution No. 1:

A resolution to amend section 2 of article two of the Constitution of the State of Indiana.

*Be it resolved by the General Assembly of the State of Indiana,* That the following proposed amendment to the Constitution of said State be and is here now agreed to and referred to the General Assembly of said State to be chosen at the next general election:

Amend section two (2) of article two (2) of said Constitution to read as follows: In all elections not otherwise provided for by this Constitution every male citizen of the United States of the age of twenty-one years and upwards, who shall have resided in this State during the six months and in the township sixty days and in the ward or precinct thirty days immediately preceding such election, and every male citizen of foreign birth of the age of twenty-one years and upwards, who shall have resided in the United States five years and conformed to naturalization laws of the United States, and has by the proper courts been admitted to full citizenship and is now a citizen of the United States with the same residence qualifications as other citizens of this State, shall be entitled to vote in the township or precinct wherein he may reside.

DINWIDDIE,  
Lake County.

Read the first time and referred to the Committee on the Revision of the Constitution.

Engrossed House Joint Resolution No. 3:

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* That the following amendment to the Constitution of the State of Indiana be and the same is now hereby agreed to and referred to the General Assembly of said State to be chosen at the next general election, to wit: Amend section thirteen (13) of article two (2) of said Constitution to read as follows: "All elections by the voters shall be by ballot or by such other method as may be prescribed by law: *Provided,* That the secrecy in voting be preserved, and: *Provided, further,* That all elections by the General Assembly or by either branch thereof shall be *viva voce.*"



SEC. 2. *Resolved*, That in submitting this amendment to the electors of the State to be voted on it shall be designated as Amendment No. 1.

CARDWILL.

Read the first time and referred to the Committee on Revision of the Constitution.

**Engrossed House Joint Resolution No. 5:**

A joint resolution of the Senate and House of Representatives to amend section 22 of article 4 of the Constitution in reference to the passage of local and special laws.

*Be it resolved by the General Assembly of the State of Indiana*, That the following proposed amendment to the Constitution of the State be and the same is here now agreed to and referred to the General Assembly of the State to be chosen at the next general election.

Amend section 22 of article 4 of the Constitution to read as follows:

Section 22. The General Assembly shall not pass local or special laws in any of the following enumerated cases, that is to say: Regulating the jurisdiction and duties of Justices of the Peace and of Constables; for the punishment of crimes and misdemeanors; regulating the practice in Courts of Justice; providing for changing the venue in civil and criminal cases; granting divorces; changing the names of persons; for laying out, opening and working on highways, and for the election or appointment of supervisors; vacating roads, town plats, streets, alleys and public squares; summoning and impaneling grand and petit juries and providing for their compensation; regulating county and township business; regulating the election of county and township officers and their compensation; for the assessment and collection of taxes for State, county, township or road purposes; providing for supporting common schools and for the preservation of school funds; in relation to fees or salaries, except that the laws may be so made as to grade the compensation of officers in proportion to the population and

the necessary services required; in relation to interest on moneys; providing for opening and conducting elections of State, county or township officers, and designating the places of voting; providing for the sale of real estate belonging to minors or other persons laboring under legal disabilities, by executors, administrators, guardians or trustees; providing for the reimbursement of county, township or municipal officers who have loaned, deposited or misapplied and lost public moneys or other property held in a judiciary capacity; or for the relief of any county, township or municipal officers from liability upon their official bonds.

Read the first time and referred to the Committee on Revision of the Constitution.

Engrossed House Concurrent Resolution No. 5:

WHEREAS, Pleasant A. Hackleman was the only General from Indiana killed in battle during the rebellion from 1861 to 1865; and,

WHEREAS, The State has made no public recognition of his services and sacrifice; therefore, be it

*Resolved by the House of Representatives, the Senate concurring,* That a commission be constituted consisting of the Governor and two members to be appointed by him, one of whom to be suggested by the family of said Hackleman and the other a member of the Grand Army of the Republic, whose duty it shall be to procure and consider plans and estimates for a statue of said Hackleman, to be erected in the State House or upon the grounds surrounding same at Indianapolis, and report to the next General Assembly, together with recommendations concerning same.

J. Q. THOMAS.

Read the first time and referred to the Committee on Military Affairs.

Senator Holler, Chairman of the Committee on Agriculture, made the following report:

MR. PRESIDENT:

Your Committee on Agriculture, to which was referred Senate Bill No. 303, introduced by Senator Seller, begs leave to report the same back to the Senate with the recommendation that the same do pass.

C. HOLLER,  
Chairman.

The report was concurred in.

Senate Bill No. 246, which was made a special order for 2 o'clock, was now taken up.

Senator Seller offered Amendment No. 3 to Substitute Senate Bill No. 246, as follows:

MR. PRESIDENT:

I move to amend Senate Bill No. 246 by striking out section 6 and inserting in lieu thereof the following:

Section 6. No building and loan association shall hereafter issue prepaid or paid-up stock, nor shall any such association pay any person any interest or bonus for advance payments on stock, nor shall any payments be received in advance, nor shall any such association issue stock in excess of \$1,000 to any one person, which sum shall cover all issued to the members of any one family and paid for by the same person, nor shall any building and loan stock be paid for in less than five years and shall be paid for in equal payments not exceeding thirty days apart.

Senator Baker offered Amendment No. 4 to Substitute Senate Bill No. 246, as follows:

MR. PRESIDENT:

I move to amend Substitute Senate Bill No. 246, by adding to section 5 thereof, the following:

In the hands of any one person in excess of the sum of five hundred (\$500) dollars.

Senator Wray offered Amendment No. 5 to Substitute Senate Bill No. 246, as follows :

MR. PRESIDENT :

I move to amend Substitute Senate Bill No. 246 as follows : By striking out of section 6 of said bill the words "six (6) per cent." and inserting in said section in lieu thereof the words "eight (8) per cent."

WRAY.

Senator Phares offered Amendment No. 1 to Amendment No. 1, as follows :

MR. PRESIDENT :

I move to amend the amendment submitted by Senator Kern, as follows :

Insert \$7,000 in lieu of \$8,500.

PHARES.

Senator LaFollette moved that the bill, with all the reports thereon, be recommitted to the Committee on Corporations.

Senators Boyd and McCutchan demanded the ayes and noes.

Those voting in the affirmative were :

Senators Alexander, Barnes, Bird, Boyd, Collett, Crumpacker, Duncan, Gifford, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McKelvey, McLean, McManus, Mull, O'Brien, Rinear, Schneck, Stuart, Vail, Watson, White.  
Total, 25.

Those voting in the negative were :

Senators Baker, Beck, Bethell, Cranor, Ellison, Gostlin, Haggard, Holler, Houghton, Humphreys, Kern of Marion, McHugh, Newby, Parker, Phares, Seller, Shiveley, Sweeney, Wray.  
Total, 19.

So the bill was recommitted to the Committee on Corporations.

Senator McCutchan, by request, introduced Senate Bill No. 481, entitled :

A bill for an act entitled an act to provide for the publication of the report of the Board of Managers of Indiana for the Columbian Exposition, and papers connected therewith.

Read the first time and referred to Committee on World's Fair.

Senator Baker, by request, introduced Senate Bill No. 482, entitled :

A bill for an act to amend sections two (2), three (3) and four (4) of an act entitled "An act to amend sections one (1), three (3), five (5) and seven (7) of an act entitled an act to establish city courts in cities having a population of over six thousand inhabitants, defining their jurisdiction and the mode of procedure therein, approved March 12, 1875, and being sections 3204, 3206, 3207 and 3209 of the Revised Statutes of 1881, and declaring an emergency," and approved February 20, 1891, and adding supplemental sections thereto.

Read the first time and referred to the Committee on Organization of Courts.

Senator Wray introduced Senate Bill No. 433, entitled :

A bill for an act to amend section one (1) of "An act to amend section one (1) of an act, approved February 26, 1891, entitled an act to amend section six (6) and section seven (7) of an act entitled an act prohibiting the obstruction of ditches or drains, providing a method of keeping them in repair, and providing a penalty for the violation thereof, approved February 28, 1889, and declaring an emergency, approved March 3, 1893."

Read the first time and referred to the Committee on Swamp Lands and Drains.

Senator Phares introduced Senate Bill No. 434, entitled :

A bill for an act to amend sections 2 and 11 of an act entitled a bill for an act prohibiting the obstruction of ditches or drains, providing a method of keeping them in repair and providing a penalty for the violation thereof.

Read the first time and referred to the Committee on Swamp Land and Drains.

Senator Phares introduced Senate Bill No. 435, entitled :

An act to amend section 52 of the act for the incorporation of cities, in force March 14, 1867, being section 3104 of the Revised Statutes of 1881 (Rev. 1894, Sec. 3539), and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

Senator Kern introduced Senate Bill No. 436, entitled :

A bill for an act to establish a State Board of Embalmers and local boards under them ; to provide for the better protection of life and health, and to prevent the spread of infectious and contagious diseases in this State ; to provide a system of examination, registration and licensing of embalmers, and to impose penalties for the violations of its provisions, and declaring an emergency.

Read the first time and referred to the Committee on Public Health.

Senator Wishard introduced Senate Bill No. 437, entitled :

An act to amend section one of an act entitled, " An act to amend section seven (7) of the act for the incorporation of manufacturing and mining companies and companies for mechanical, chemical and building purposes," approved May 20, 1852, by providing that any company incorporated in this State for any of the purposes contemplated in said act, shall not use its funds in the purchase of any stock in any other corporation only upon the written consent of all the stockholders of the company desiring to purchase said stock, and

also the written consent of all the stockholders of the company in which stock is sought to be purchased, and declaring an emergency, approved March 7, 1891, being section 5059 of Burns' Indiana Statutes, 1894.

Read the first time and referred to the Committee on Corporations.

Senator Crumpacker asked leave of absence for Senator Gifford.

Which was granted.

Senator Shiveley presented a petition from the citizens of Wayne County relative to the passage of the "Boord bill."

Which was referred to the Committee on Corporations.

Senators Rinear and Watson and Shiveley presented petitions which were referred to the Committee on Temperance.

Senator Shiveley presented a petition from the voters of Wayne County relative to the pure food laws, and which was referred to the Committee on Agriculture.

Senator Holler presented a petition, which was referred to the Committee on Corporations.

Senator Alexander presented a petition which was referred to the Committee on Temperance.

Senator Cranor introduced Senate Bill No. 438, entitled :

A bill for an act fixing the time for holding court in the Forty-sixth Judicial Circuit of the State of Indiana, regulating certain matters connected therewith and repealing conflicting laws.

Read the first time.

Senator Cranor moved that the constitutional rule be suspended and read a second time by title, considered engrossed, a third time by sections and placed upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bird, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Houghton, Johnston, LaFollette, Leyden, McCord, McCutchan, McDonald, McKelvey, McLean, McManus, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Watson, White, Wray. Total, 39.

Senator Holler voting in the negative.

So the constitutional rule was suspended, the bill was read the second time by title, considered engrossed, and read the third time by sections now.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Barnes, Beck, Bird, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Johnston, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard, Wray. Total, 40.

None voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Crumpacker introduced Senate Bill No. 439, entitled:

A bill for an act to amend and repeal an act entitled "An act on the subject of railroad crossings at grade," approved March 2, 1883.

Read the first time and referred to the Committee on Railroads.



Senator Duncan introduced Senate Bill No. 440, entitled :

A bill for an act to provide for free text-books for use in the common schools of the State, providing for boards to select such books, and for the manner of the selection of such boards, and repealing all laws in conflict therewith.

Read the first time and referred to the Committee on Education.

By request, Senator Houghton introduced Senate Bill No. 441, entitled :

A bill for an act to provide janitors for common school houses, and providing for their payment.

Read the first time and referred to the Committee on Education.

Engrossed House Amendment to Engrossed Senate Bill No. 209 :

Amend the same by inserting in section one, after the words "public school buildings," the words "be, and the same are hereby, legalized and in all things made valid."

ROBINSON.

Senator White moved that the amendment be adopted.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Baker, Bethell, Boyd, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Johnston, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McKelvey, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Stuart, Sweeney, Vail, Watson, White, Wishard. Total, 34.

None voting in the negative.

So the amendment was adopted.

Senator Wishard introduced Senate Bill No. 442, entitled :

An act to amend section 2 and to repeal section 4 of an act entitled, "An act declaratory of the meaning and effect of the word 'mining' as used in chapter thirty-five (35) of the Revised Statutes of Indiana, now in force on the subject of corporations, manufacturing and mining companies, to legalize companies heretofore organized under the provisions of said chapter for the purpose of drilling, sinking and operating wells for the production and sale of natural gas and petroleum, and to validate the acts and contracts of such company and association heretofore organized supplemental to said act, and declaring an emergency," approved February 23, 1889, being sections 5100 and 5102 of Burns' Indiana Statutes, 1894.

Read the first time and referred to the Committee on Corporations.

Senator Stuart introduced Senate Bill No. 443, entitled :

A bill for an act to appropriate money to pay the claim of John Brennan, on account of wages as janitor of the Supreme Court, and declaring an emergency.

Read the first time and referred to the Committee on Claims.

Senator Cranor presented a petition from the citizens of Muncie, asking for the passage of the "Nicholson Bill."

Senate Bill No. 313 was read the second time.

Senator Seller offered Amendment No. 1, as follows :

MR. PRESIDENT :

I move to amend Senate Bill No. 313 by adding to section 1 thereof the following words :

Such Judges, other than attorneys, shall have jurisdiction of all matters pending in such court while holding such court to try causes on change of venue from the regular Judge.

And by striking out of line 7 in the printed bill the word "five" and inserting in lieu thereof the word "ten."

SELLER.

Which amendment was adopted, and the bill ordered engrossed.

Senators McLean and Gifford presented petitions, which were referred to the Committee on Temperance.

Senator Parker asked for leave of absence for Senator Collett, which was granted.

Senator Ellison offered Amendment No. 1 to Substitute Senate Bill No. 101, as follows :

MR. PRESIDENT :

I move to amend section 4 of Substitute Senate Bill No. 101 by inserting, "If a majority of those interested in such work designate such person the Board shall appoint him," after the word "work" in line 74, and inserting the words after the word "best" in line 77, "that if any landowner desire to do the work upon his land upon as good terms as any other person offers to do the same, and the giving such landowner such job will not increase the cost of the doing of the other work nor interfere with such other work or the prompt and efficient doing of such work such landowner shall be given such job.

ELLISON.

Senator Gifford offered Amendment No. 2 to Substitute Senate Bill No. 101 :

I move to amend Substitute Senate Bill No. 101 by striking out of said bill section 10.

GIFFORD.

The following message was received from the Governor :

MR. PRESIDENT :

By direction of the Governor, I herewith inform the Senate that he has signed Enrolled Senate Bill No. 120, the same being an act forbidding constructing streets and railways through

lands owned by cemeteries; also Senate Bill No. 204, the same being an act legalizing the incorporation of the town of Alton, Crawford County.

Respectfully,  
**MYRON D. KING,**  
 Private Secretary.

On motion of Senator McCutchan, the Senate adjourned.

**MORTIMER NYE,**  
 President of the Senate.  
**WILLIAM S. ENNES,**  
 Assistant Secretary of the Senate.

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### WEDNESDAY MORNING.

FEBRUARY 20, 1895.

The Senate met pursuant to adjournment, with Lieutenant-Governor Nye in the chair.

Prayer was offered by Rev. D. R. Van Buskirk, of the Third Christian Church of this city.

After a portion of the Journal had been read, on motion of Senator Wray the further reading of the same was dispensed with.

Senator Ellison offered Amendment No. 1, as follows :

**MR. PRESIDENT :**

I move to amend section 4 of Substitute Senate Bill No. 101 by inserting "if a majority of those interested in such work designate such person the Board shall appoint him," after the word "work," in line 74, and by inserting the words after the word "best," in line 77, "that if any land owner desire to do the work upon his land upon as good terms as any other person offers to do the same, and the giving such land owner such job will not increase the cost of the doing of the other work, nor interfere with such other work, or the prompt and efficient doing of such work, such land owner shall be given such job."

**ELLISON.**

Senator Gifford offered Amendment No. 2 to Substitute Senate Bill No. 101, as follows :

MR. PRESIDENT:

I move to amend Substitute Senate Bill No. 101 by striking out of said bill section 10.

GIFFORD.

The consideration of Senate Bill No. 101 was now resumed.

Senator Cranor moved that the further consideration of the bill be indefinitely postponed.

Senators Ellison and Seller demanded the ayes and noes.

Those voting in the affirmative were :

Senators Baker, Boord, Boyd, Cranor, Gostlin, LaFollette, Leyden, McManus, O'Brien, Rinear, Shiveley, Wishard. Total, 12.

Those voting in the negative were :

Senators Alexander, Barnes, Beck, Bozeman, Duncan, Ellison, Haggard, Humphreys, Johnston, Kerns of Vermillion, McDonald, McHugh, McLean, Parker, Phares, Schneck, Seller, Stuart, Vail, Watson, Wray. Total, 21.

So the motion was lost.

Senator Holler offered Amendment No. 3 to Senate Bill No. 101, as follows :

Amend section 1 by striking out from lines 5 and 6 the words, "in which the lands of the petitioner or petitioners are situate," and inserting the words, "containing the source of the main ditch."

Also by inserting after the word "petition" in line 34, the words, "by personal notice to all such owners that are residents of any of the counties containing lands affected by the proposed work, and to non-residents of such counties."

Also, by inserting after the word directed, in line 88, the words "*Provided*, That if, at this stage of the proceedings, two-thirds in number of the land owners, named as such in such petition and supplemental petitions, resident in any county, shall remonstrate, in writing, against the construction of such work, the petition and proceedings shall be dismissed as to the lands in such county.

Also, by inserting after the word benefits, in line 171, the words: "*Provided*, That owners of lands who have constructed ditches, under authority of law, of such depth and capacity as to furnish outlets to tile drains on such lands of a depth not less than three feet, and such ditches discharge into the natural water course which is their natural outlet, then such lands shall be exempt from further assessments: *And, provided, further*, That when any ditch has been constructed under any law of this State, of sufficient capacity to drain the lands assessed therefor, any enlargement thereof shall be made at the expense of lands whose drainage makes such enlargement necessary.

Amend section 2, by inserting after the word county, in fourth line, the words, "in which his lands are situate."

Amend section 8, by striking out of lines 14, 15 and 16, the words, "and a reasonable fee therefor shall be allowed by such court, and taxed and paid as a part of the expenses of constructing such work, if the same be decided in favor of such petitioners."

Senator Seller offered Amendment No. 4, as follows:

MR. PRESIDENT:

I move to amend section 10 of Substitute Senate Bill No. 101, by inserting after the word "laws" in line one of said section, the following words: "And parts of laws except such parts of such laws as do not conflict with this act." And by adding the further proviso at the close of said section ten: *Provided further*, That no proceedings to construct or repair any drain shall be begun under the provisions of any act now in force from and after the taking effect of this act.

SELLER.

Senator LaFollette offered Amendment No. 5, as follows :

MR. PRESIDENT :

I move to amend Senate Bill No. 101, by striking out section 10 and inserting in lieu thereof the following :

Section 10. This act shall not repeal any other laws upon the subject of drainage now in force, but shall only be supplemental thereto, and all laws now in force shall continue in force, the same as though this act had not been passed.

LaFOLLETTE.

Senator O'Brien offered Amendment No. 6, as follows :

Amend section four of the Substitute Senate Bill No. 101 by striking out all after the word "counties" in line 143 to and including the word "county" in line 154, and insert in lieu thereof the following, to wit: "Then such petitioner shall file a copy of such petition with the Board of Commissioners of each of such counties, and thereupon the court of such counties shall take cognizance of such petition and shall have jurisdiction over all matters pertaining thereto in such county, and shall proceed and act upon the same in all respects as required by this section upon filing the original petition, and any appeal from the judgment of such Board shall be to the courts of such counties, and the civil engineer appointed by the Board of such counties, and the Auditor and Treasurer of such counties shall perform all the duties for their respective counties required by this section to be performed by the civil engineer, Auditor and Treasurer of the county where such original petition was filed."

JAMES O'BRIEN.

Senator Ellison moved that the bill be referred to a special committee of three Senators for examination and revision, and that it be made a special order for Friday morning at 10 o'clock.

Which motion prevailed.

The Chair appointed Senators Phares, LaFollette and Ellison as such committee.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 156, 157 and 587, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 156, entitled :

A bill for an act to repeal an act entitled "An act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same among the several counties of the State, and to repeal all laws in conflict therewith, approved March 4, 1893, and declaring an emergency."

Read the first time and referred to the Committee on Legislative Apportionment.

Engrossed House Bill No. 157:

An act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same among the several counties of the State, and to repeal all laws in conflict therewith.

Read the first time and referred to the Committee on Legislative Apportionment.

Engrossed House Bill No. 587, entitled :

A bill for an act to amend an act entitled "An act to provide for the erection of a State Soldiers' and Sailors' Monument, or Memorial Hall and Monument combined, according to the discretion of the Trustees in this act provided for, and declaring an emergency," approved March 3, 1887; to repeal certain portions thereof, to abolish the Board of Commissioners of the State Soldiers' and Sailors' Monument, to provide for the appointment of a Board of Regents for said Monument, prescribing their duties, compensation, etc., for the completion of said Monument and declaring an emergency.

Read the first time and referred to the Committee on Soldiers' and Sailors' Monument.



Engrossed Senate Bill No. 193 was read the third time.

By unanimous consent the bill was referred to the author for amendment.

Senator Alexander reported that he had made the amendments as directed by the Senate.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Bozeman, Cranor, Duncan, Ellison, Gostlin, Haggard, Holler, Houghton, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Schneck, Self, Seller, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 39.

Senator Wishard voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 96 was read the third time.

By unanimous consent the bill was referred to the author for amendment.

Senator Baker, committee of one, to whom was referred Engrossed Senate Bill No. 96, made the following report:

MR. PRESIDENT:

Your special committee, to which (by unanimous consent of the Senate) was referred Engrossed Senate Bill No. 96, for amendment, makes report as follows: That the words "and imprisoned — days," in line 7 of the substitute Section No. 1, on page 2 of the printed bill, be stricken out, and that the following words be substituted therefor: "to which may be added imprisonment in the county jail for any period not exceeding ten days."

O. A. BAKER.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Bethell, Bird, Boord, Boyd, Bozeman, Cranor, Crumacker, Duncan, Ellison, Gostlin, Holler, Houghton, Humphreys, Johnston, Kern of Marion, LaFollette, Leyden, McCord, McCutchan, McHugh, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard, Wray. Total, 42.

Senator McDonald voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Barnes, the Committee of One to whom was referred Senate Bill No. 350, makes the following report :

MR. PRESIDENT :

I move to amend Senate Bill No. 350 by erasing the word "or" in line five and substituting therefor the words "of the," also in same line after the word crime insert the words "or."

In line six (6) after the word "committed" insert the word "or"; also in same line after the word "desperadoes," erase the word "and" and insert in lieu thereof the words "or if"; also at end of same line erase the word "and" and substitute therefor the word "or."

W. L. BARNES.

The report was concurred in.

Senate Bill No. 325 was read the third time.

Senator LaFollette moved to refer back to the author for revision.

Which motion prevailed.

Engrossed Senate Bill No. 97 was read the third time.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Cranor, Holler, Johnston, Kern of Marion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McLean, McManus, Mull, Newby, O'Brien, Parker, Rinear, Self, Seller, Shiveley, Stuart, Vail, Watson, Wray. Total, 32.

Those voting in the negative were :

Senators Duncan, Ellison, Gostlin, Haggard, Houghton, Kerns of Vermillion, Phares, Schneck, Wishard. Total, 9.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 149 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Barnes, Beck, Bird, Boord, Boyd, Duncan, Haggard, Holler, Houghton, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, McCord, McCutchan, McDonald, McHugh, McLean, McManus, Mull, Newby, O'Brien, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard, Wray. Total, 36.

Senators Cranor and Parker voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 860 was read the third time.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Cranor, Crumpacker, Duncan, Ellison, Holler, Houghton, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McLean, McManus, Mull, Newby, O'Brien, Parker, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard, Wray. Total, 41.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Amended Senate Bill No. 1 and House Bills No. 125, 285, 289, 341 and 397, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 125, entitled:

An act concerning holidays, and providing for the maturity, presentment for payment and acceptance of bills of exchange, bank checks, promissory notes, or other negotiable or commercial paper, falling due or maturing on said holidays.

Read the first time and referred to the Committee on Finance.

Engrossed House Bill No. 285 :

A bill for an act regulating descents and the apportionment of estates, and defining the rights of second or subsequent childless wives, and the rights of children by former wives, and legalizing conveyances heretofore made by such childless wives ; also, conveyances made by children by former wives, or their guardians, and declaring an emergency.

Read the first time, and referred to the Committee on Judiciary.

Engrossed House Bill No. 289, entitled :

A bill for an act to amend section 5 of an act entitled an act concerning the purchase of toll roads and providing for maintenance of the same as free gravel roads, and declaring an emergency, approved March 8, 1889.

Read the first time, and referred to the Committee on Roads.

Engrossed House Bill No. 341 :

A bill for an act to amend sections eleven (11), one hundred and fourteen (114), one hundred and fifteen (115), one hundred and twenty-five (125), one hundred and twenty-nine (129), and one hundred and thirty-two (132), of an act concerning taxation, repealing all laws in conflict therewith, and declaring an emergency, approved March 6, 1891, and declaring an emergency.

Read the first time, and referred to the Committee on Finance.

Engrossed House Bill No. 397 :

A bill for an act entitled an act to enable the Governor to more effectually discharge his constitutional duty, to see that the laws of the State are faithfully executed and enforced, investing him with means and powers to enable him to more effectually perform such duty, authorizing him to appoint persons to act as officers, temporarily and for a designated pur-

pose, in cases where officers fail, neglect, decline, refuse or are unwilling to perform their duties, or are unable to perform such duties, investing the persons temporarily appointed with power to enable them to efficiently perform the duties required of them, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Engrossed House Amendment to Senate Bill No. 1 :

That section 1 be amended to read as follows, to wit :

Section 1. *Be it enacted by the General Assembly of the State of Indiana*, That there shall be established and maintained upon the lands now belonging to the Department of Indiana, Grand Army of the Republic, near Lafayette in Tippecanoe County, Indiana, an institution for the support of disabled or destitute soldiers, sailors and marines, and the wives or destitute widows of such soldiers, sailors and mariners, which institution shall be known as The Indiana State Soldiers' Home : *Provided*, That after the passage of this act and before the payment of any money by the State, the said lands of the Department of Indiana, Grand Army of the Republic, shall be conveyed to the State of Indiana, by warranty deed, which shall convey by covenants, absolute in their character, free from all liens, warranting forever an indefeasible title to the State of Indiana, in fee simple, said title to be to the approval of the Attorney-General, to certain tracts of land in Tippecanoe County, the first tract being five (5) acres, more or less in extent, lately the property of Col. Richard P. DeHart, and the second, two hundred and forty-two (242) acres, more or less, in extent, in two separate tracts of 187 acres, more or less, and 55 acres, more or less, respectively : *Provided*, That at no time after the taking effect of this act shall any part of said real estate from any cause revert from the State of Indiana for any purpose : *Provided further*, That before the payment of any money by the State under this act, the said Grand Army of the Republic shall pay over absolutely to the State of Indiana, to be used for the purpose of this act, the sum of five thousand six hundred and eighty-eight dollars (\$5,688) in cash, or, so much as now, February 19, 1895, remains as a balance of said

Soldiers' Home fund: *And provided further*, That at any time when it can be done without disparagement or inconvenience to the operation of this institution, the State of Indiana shall have the right to use any and all of the buildings and appurtenances herein provided for, erected and maintained under the provisions of this act for any other public purposes or for any other public institution as may be deemed for the best interest of the State by the General Assembly: *Provided further*, That after such time shall have elapsed as to render a soldiers' home and its maintenance unnecessary, the State may use said property with all its appurtenances for such purposes as the General Assembly may deem proper.

That section 8 be amended to read as follows, to wit:

SEC. 3. Said Board shall elect one member thereof as President of the Board and another as Treasurer, and shall elect a Secretary thereof who may be a third member or a person not a member of the Board. The Secretary shall keep a full and correct record of all the proceedings of the said Board in a book or books used for such purpose only, and shall be allowed such compensation for such services while the work of construction is going on as may be determined by said Board of Trustees, not to exceed four hundred dollars (\$400) per annum, payable quarterly, out of any moneys in the State Treasury not otherwise appropriated. The Treasurer, before entering upon his duties as such, shall file in the office of the Auditor of State a bond payable to the State of Indiana with good and sufficient freehold sureties, to be approved by said Auditor, in the penal sum of one hundred thousand dollars (\$100,000), conditioned for the faithful accounting by said Treasurer for all moneys that shall come into his hands as such and for the faithful discharge of his duties as said Treasurer, according to law.

Section 4 shall be amended to read as follows, to wit:

Section 4. When said home shall be established and in condition to receive inmates, said Board of Trustees shall appoint a Commandant, who shall receive an annual salary of one thousand dollars (\$1,000); also an Adjutant, who shall receive an annual salary of eight hundred dollars (\$800). Said Commandant and Adjutant shall be honorably discharged volunteer sol-

diers or sailors of the Union army or navy in the war of the rebellion, and shall each hold office for a term of three years from the date of appointment, unless sooner discharged for cause, as hereinafter provided. They shall be provided with subsistence and quarters at said Home, by said Trustees, and their salaries shall be paid quarterly out of any moneys in the State treasury not otherwise appropriated. Before entering upon the duties of their several offices, the Commandant and the Adjutant shall each take and subscribe an oath to faithfully and impartially discharge the duties of their respective offices, and shall each file with said Board a bond in the penal sum of two thousand dollars (\$2,000), and with such freehold sureties as shall be approved by said Board, payable to the State of Indiana and conditional for the faithful performance of their duties and for the proper disposal and payment of and accounting for all moneys and other property that shall come into his possession as such officer. The Commandant and the Adjutant may at any time be removed by said Board; but only for cause, to be stated in the order for removal, which order shall be entered upon the records of the proceedings of said Board.

That section 10 shall be amended to read as follows, to wit:

Section 10. All honorably discharged soldiers, sailors and marines, who have served the United States in any of its wars, and who have been residents and citizens of the State of Indiana for one year immediately preceding, and who are at the time of the date of the application for admission to the Home, who may be disabled or destitute; also, the wives of such disabled and destitute soldiers, sailors or marines, and destitute widows, over forty-five years of age, of soldiers, sailors or marines of the United States who have been citizens and residents of the State of Indiana for one year immediately preceding, and who are at the time of the date of application for admission to the Home, may be admitted to the said Soldiers' Home under such rules and regulations as may be adopted by said Board of Trustees: *Provided*, That preference may be given to persons who served in Indiana military organizations: *Provided further*, That the words "disabled" or "destitute" shall be construed to mean persons without means of support or physically disqualified to perform manual labor to the extent of earning a livelihood, or persons depending upon char-



ity: *Provided*, That the benefits of this act shall only extend to widows and wives of soldiers where the contract of marriage was entered into before the passage of this act.

MR. SPEAKER:

Your Committee on Ways and Means, to which was referred Senate Bill No. 1, the same being a bill for an act entitled an act to establish and maintain the Indiana State Home for Disabled Soldiers, and declaring an emergency, begs leave to report the same back to the House with the recommendation that the bill be amended by striking out the words "one hundred," in section 16, and inserting in lieu thereof the words "seventy-five," and that when the same is so amended it do pass.

Which report was concurred in.

That there shall be added to section sixteen a proviso as follows, to wit:

*Provided*, That thirty days before any work whatsoever shall be done toward the erection of said institution, and before the payment of any money by the State hereunder, there shall be filed by said Board of Trustees detailed drawings, plans and specifications, in the office of the Clerk of the Circuit Court of Tippecanoe County, of all buildings and appurtenances enumerated in this section, together with the amount of the sum or sums to be paid for the same, which said drawings, plans and specifications shall be open to the inspection of the public.

That section 17 shall be amended to read as follows, to wit:

Section 17. For the current expenses of said institute there is hereby appropriated annually out of any moneys in the State Treasury not otherwise appropriated a sum equal to ten and one-half dollars (\$10.50) per month for each inmate, officer and employe residing at the home, which number of months and days shall be determined by the average of the number of inmates residing in said home, during the preceding calendar month, and upon presentation to the Auditor of State at the end of each month of a statement certified by the commandant and adjutant of the average number of days and names of such persons who shall have so resided at said home during the preceding month, said Auditor shall draw his warrant upon

the Treasurer of the State in favor of the Treasurer of said Board of Trustees for the amount to which the home may thus be shown to be entitled for such month: *Provided*, That the State Treasury may require an investigation as to the true number of inmates in said institute at any time; and: *Provided, further*, That the salary and wages of all officers and employes of said institute other than the Trustees, Secretary of said Board, commandant and the adjutant shall be paid out of the money drawn for the current expenses as provided in this section; and: *Provided*, That the sum of one hundred dollars (\$100) per year, allowed by the Government of the United States for any soldier maintained in a State home shall be paid into the State Treasury: *Provided, further*, That at the expiration respectively of the terms of office of such Trustees their successors shall be appointed in the same manner and with the same qualifications as heretofore provided for such Trustees.

Senator McDonald moved that engrossed House amendment to Senate Bill No. 1 be adopted.

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Cranor, Crumpacker, Duncan, Ellison, Gostlin, Haggard, Holler, Houghton, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard. Total, 43.

None voting in the negative.

So the amendment was adopted.

Senate Bill No. 355 was read the second time and ordered engrossed.

Engrossed House Bill No. 806 was read the second time and passed to the third reading.

Engrossed House Bill No. 11 was read the second time and ordered to the third reading.

Senate Bill No. 290 was read the second time and ordered engrossed.

Senator McCutchan, Chairman of the Committee on Military Affairs, made the following report:

MR. PRESIDENT:

Your Committee on Military Affairs, to which was referred Senate Bill No. 268, introduced by Senator Boyd, begs leave to report the same back to the Senate, with the recommendation that section four (4) of the bill be amended to read: "That the sum of fifty thousand dollars (\$50,000) be and the same is hereby appropriated out of any funds in the State Treasury not otherwise appropriated; twenty-five thousand dollars (\$25,000) during the year 1896, to be drawn and used by said commission heretofore provided, in the manner and form hereinafter stipulated; eight hundred and fifty dollars (\$850) to be used for the purpose of defraying the expense of the commission heretofore appointed by the Governor, known as....., incurred by said commission as shown by its report to the Governor on the first day of January, 1895; one thousand dollars (\$1,000) to pay the expenses of the commission created by this act; and forty-one thousand eighty-two dollars and fifty cents (\$41,082.50) for the erection of thirty-one (31) monuments to the Indiana regiments of infantry and artillery that took part in the said battle of Chickamauga, and seven thousand sixty-seven dollars and fifty cents (\$7,067.50) for the erection of a monument to each of the eight batteries of artillery from the State of Indiana that took part in said battle," and recommend that the bill as so amended do pass.

A. J. McCUTCHAN,  
Chairman.

The report was concurred in.

Senator Baker, Chairman of the Committee on Insurance, made the following report:

MR. PRESIDENT:

Your Committee on Insurance, to which was referred Senate Bill No. 282, introduced by Senator Wishard, begs leave to report the same back to the Senate with the recommendation that the same do pass.

O. A. BAKER,  
Chairman.

The report was concurred in.

Senator Baker, Chairman of the Committee on Insurance, made the following report:

MR. PRESIDENT:

Your Committee on Insurance, to which was referred Senate Bill No. 395, introduced by Senator McCord, begs leave to report the same back to the Senate with the recommendation that the same do pass.

O. A. BAKER,  
Chairman.

Which report was concurred in.

Senator Baker, Chairman of the Committee on Insurance, made the following report:

MR. PRESIDENT:

Your Committee on Insurance, to which was referred Senate Bill No. 143, introduced by Senator Haggard by request, begs leave to report the same back to the Senate with the recommendation that the further consideration of said bill be indefinitely postponed.

O. A. BAKER,  
Chairman.

The report was concurred in.

Senate Bill No. 15 was read the second time and ordered engrossed.

Senator McCord introduced Senate Bill No. 444, entitled:

A bill for an act to amend section one of an act entitled, "An act to provide for the appropriation of real estate for cemetery uses," approved March 9, 1889.

Read the first time, and referred to the Committee on Cities and Towns.

Senator Shiveley, Chairman of the Committee on Organization of Courts, made the following report:

MR. PRESIDENT:

Your Committee on Organization of Courts, to which was referred Senate Bill No. 418, introduced by Senator Self, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

CHAS. E. SHIVELEY,  
Chairman.

The report was concurred in.

Senator Shiveley, Chairman of the Committee on Organization of Courts, made the following report:

MR. PRESIDENT:

Your Committee on Organization of Courts, to which was referred Senate Bill No. 194, introduced by Senator LaFollette, begs leave to report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

CHAS. E. SHIVELEY,  
Chairman.

The report was concurred in.

The Committee on Organization of Courts made the following report:

MR. PRESIDENT:

Your Committee on Organization of Courts, to which was referred Senate Bill No. 162, introduced by Senator O'Brien, begs leave to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

CHARLES E. SHIVELEY,  
Chairman.

Which report was concurred in.

The Committee on Organization of Courts made the following report :

MR. PRESIDENT :

Your Committee on Organization of Courts, to which was referred Senate Bill No. 46, introduced by Senator Duncan, begs leave to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

CHARLES E. SHIVELEY,  
Chairman.

Which report was concurred in.

Senator Watson, Chairman of the Committee on Prisons, made the following report :

MR. PRESIDENT :

Your Committee on Prisons, to which was referred Senate Bill No. 89, introduced by Senator Shiveley, begs leave to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

W. H. WATSON,  
Chairman.

The report was concurred in.

The Committee on Claims made the following report :

MR. PRESIDENT :

Your Committee on Claims, to which was referred Senate Bill No. 137, introduced by Senator Leyden, begs leave to report the same back to the Senate with the recommendation that the same do pass, appropriating \$1,974.76 without any interest thereon.

W. H. WATSON,  
Chairman.

Which report was concurred in.

The Committee on Prisons made the following report :

MR. PRESIDENT :

Your Committee on Prisons, to which was referred Senate Bill No. 425, introduced by Senator Watson, begs leave to report the same back to the Senate with the recommendation that the same do pass.

W. H. WATSON,

Chairman.

The report was concurred in.

Senator Baker, Chairman of the Committee on Insurance, made the following report :

MR. PRESIDENT :

Your Committee on Insurance, to which was referred En-grossed House Bill No. 97, introduced by Mr. Davis, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

O. A. BAKER,

Chairman.

Senator Kern offered Amendment No. 1, as follows :

MR. PRESIDENT :

I move to amend House Bill No. 97, by adding to section two, the following : "*Provided, however,* That nothing in this act shall be so construed as to prevent any individual firm or corporation from entering into any special contract in writing with any insurance company, authorized to do business in Indiana, whereby the assured shall agree to carry such amount of insurance as shall equal any given per cent. of the value of the property insured.

KERN.

Which amendment was adopted, and the bill was passed to the third reading.

Engrossed Senate Bill No. 302 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Beck, Bethell, Bird, Boord, Boyd, Cranor, Duncan, Ellison, Holler, Houghton, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McDonald, McHugh, McKelvey, McManus, Mull, Newby, O'Brien, Parker, Seller, Self, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard. Total, 34.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 180 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bird, Boord, Boyd, Cranor, Duncan, Ellison, Gostlin, Haggard, Holler, Houghton, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Schneck, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard. Total, 39.

So the bill passed.

Senator Seller moved that the title of the bill be amended to read as follows :

A bill for an act making it the duty of Township Trustees to register all township orders and warrants and keep an account of all indebtedness of the township, and to cause the same to be posted and published, and other matters connected therewith.

SELLER.

Which motion prevailed.

The title of the bill as amended was ordered to stand as the title to the act.



Senate Bill No. 249 was read the third time, and, by unanimous consent, was referred to a special committee, consisting of the author, for amendment.

Engrossed Senate Bill No. 308 was read the third time.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Cranor, Duncan, Ellison, Gostlin, Haggard, Houghton, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McDonald, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, Wishard. Total, 35.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 250 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Cranor, Duncan, Ellison, Haggard, Houghton, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, Wishard, Wray. Total, 38.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The President of the Senate made the following announcement:

*To the Senate:*

I have appointed Senators McLean and Wishard as honorary pall bearers to attend the funeral of ex-United States Minister Isaac P. Gray.

The President of the Senate made the following announcement:

*To the Senate:*

I have signed House Bills Nos. 32, 62 and 124.

MORTIMER NYE,  
President of the Senate.

Engrossed Senate Bill No. 252 was read the third time.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Cranor, Duncan, Haggard, Holler, Houghton, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McManus, Mull, Newby, O'Brien, Parker, Phares, Schneck, Shiveley, Sweeney, Vail, Wray. Total, 34.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 44 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Bird, Boyd, Bozeman, Cranor, Ellison, Houghton, Kern of Marion, McCutchan, McManus, Mull, O'Brien, Stuart, Sweeney, Wray. Total, 15.

Those voting in the negative were:

Senators Baker, Bethell, Duncan, Gostlin, Haggard, Holler, Kerns of Vermillion, LaFollette, Leyden, McCord, McKelvey, Phares, Schneck, Self, Shiveley, Vail, Watson, White. Total, 18.

So the bill failed to pass.

Engrossed Senate Bill No. 265 was read the third time.

On motion of Senator LaFollette the bill was referred to the author, Senator Duncan, for amendment.

Senator Duncan reported that he had amended the bill as directed by the Senate.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Bethell, Bird, Boyd, Bozeman, Cranor, Duncan, Ellison, Haggard, Holler, Houghton, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Self, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 87.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 268 was read the third time.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Baker, Barnes, Beck, Bethell, Bird, Boyd, Cranor, Duncan, Ellison, Gostlin, Haggard, Holler, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, O'Brien, Parker, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, Wishard, Wray. Total, 85.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 20 was read a third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Barnes, Beck, Bethell, Boyd, Cranor, Duncan, Gostlin, Haggard, Holler, Houghton, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McHugh, McKelvey, McManus, Mull, Newby, O'Brien, Phares, Schneck, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard, Wray. Total, 34.

Senators Johnston, Parker and Self voting in the negative. Total, 3.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senate Bill No. 373 was read the third time.

Senator Parker moved to make the bill a special order for Friday morning at 11 o'clock A. M.

Which motion prevailed.

Engrossed House Bill No. 312 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Boyd, Duncan, Gostlin, Haggard, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McManus, Mull, Newby, O'Brien, Parker, Phares, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, White, Wishard, Wray. Total, 34.

None voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 256 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Boord, Boyd, Bozeman, Duncan, Gostlin, Haggard, Holler, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McDonald, McHugh, McKelvey, McManus, Newby, O'Brien, Parker, Phares, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard, Wray. Total, 35.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senator Boyd, Chairman of the Special Committee on Observance of Washington's Birthday reported.

The report was concurred in.

Engrossed Senate Bill No. 48 was read the third time.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boyd, Bozeman, Cranor, Duncan, Haggard, Holler, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McDonald, McHugh, McKelvey, McLean, McManus, Mull, O'Brien, Parker, Phares, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Watson, White, Wishard, Wray. Total, 37.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The following message was received from the Governor :

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has signed Enrolled Senate Bill No. 125, the same being "An act exempting from taxation the property of cemeteries.

Respectfully,

MYRON D. KING,  
Private Secretary.

Engrossed Senate Bill No. 330 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boyd, Cranor, Duncan, Holler, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, O'Brien, Parker, Phares, Schneck, Self, Seller, Shiveley, Stuart, Watson, White, Wishard, Wray. Total, 35.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 215 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Barnes, Beck, Bethell, Boyd, Crum-  
packer, Duncan, Ellison, Holler, Johnston, Kern of Marion,  
Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan,  
McDonald, McHugh, McKelvey, McLean, McManus, Mull,  
O'Brien, Parker, Phares, Schneck, Self, Seller, Shiveley, Stuart,  
Watson, White, Wishard, Wray. Total, 34.

None voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 370 was read a third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Barnes, Beck, Bethell, Boord, Boyd,  
Duncan, Ellison, Gostlin, Holler, Kern of Marion, LaFollette,  
Leyden, McCord, McDonald, McHugh, McKelvey, McLean,  
McManus, Mull, O'Brien, Parker, Schneck, Self, Seller, Shive-  
ley, Sweeney, Vail, Watson, White, Wishard, Wray. Total,  
32.

Those voting in the negative were:

Senators Kerns of Vermillion, and Stuart. Total, 2.

So the bill passed.

The title to the bill was ordered to stand as the title to the  
act.

Engrossed Senate Bill No. 200 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Bozeman, Cranor, Duncan, Ellison, Gostlin, Holler, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, O'Brien, Parker, Schneck, Seller, Shiveley, Stuart, Sweeney, White, Wishard, Wray. Total, 35.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 327 was read a third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Cranor, Duncan, Ellison, Gostlin, Holler, Houghton, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, O'Brien, Parker, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, Wishard, Wray. Total, 88.

None voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.



Engrossed Senate Bill No. 322 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bird, Crum-  
packer, Duncan, Ellison, Gostlin, Holler, Houghton, Kern of  
Marion, Kerns of Vermillion, LaFollette, Leyden, McCord,  
McCutchan, McDonald, McHugh, McKelvey, McLean, Mull,  
McManus, O'Brien, Parker, Schneck, Seller, Shiveley, Stuart,  
Sweeney, Vail, Watson, White, Wishard, Wray. Total, 35.

Those voting in the negative were:

Senators Cranor, Self. Total, 2.

So the bill passed.

The title of the bill was ordered to stand as the title to the  
act.

Engrossed Senate bill No. 337 was read a third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bird, Cranor,  
Duncan, Ellison, Holler, Houghton, Johnston, Kern of Marion,  
Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan,  
McDonald, McHugh, McKelvey, McLean, McManus, Mull,  
Newby, O'Brien, Parker, Schneck, Self, Seller, Shiveley,  
Stuart, Sweeney, Vail, Watson, White, Wray. Total, 36.

None voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the  
act.

Engrossed Senate Bill No. 224, was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bird, Cranor, Duncan, Ellison, Gostlin, Holler, Houghton, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Schneck, Seller, Self, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 37.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 289 was read the third time.

By unanimous consent the bill was recommitted to the author for correction.

Engrossed Senate Bill No. 207 was read a third time.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Bethell, Bozeman, Cranor, Duncan, Ellison, Gostlin, Johnston, Kern of Marion, LaFollette, Leyden, McCutchan, McDonald, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Schneck, Self, Shiveley, Stuart, Watson, Wishard. Total, 28.

Those voting in the negative were :

Senators Bird, Holler, Houghton, Kerns of Vermillion, Seller, White, Wray. Total, 7.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 177 was read a third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Bozeman, Cranor, Duncan, Ellison, Gostlin, Houghton, Johnston, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, White, Wishard, Wray. Total, 37.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senator Stuart offered Senate Concurrent Resolution No. 19, as follows:

*Resolved*, That a committee of five members of this Senate be appointed by the President thereof to act with a like committee from the House as an escort and accompany the body of the late Governor, Isaac P. Gray, from this city to Union City, Indiana, and to the place of its interment at that place.

STUART.

The resolution was adopted.

Senator McLean moved that when the Senate adjourns it adjourn to meet at 9 o'clock to-morrow morning.

Senator Shiveley moved to amend by making the time 8 o'clock this evening.

Which motion prevailed.

On motion of Senator Stuart the Senate adjourned.

## WEDNESDAY EVENING.

FEBRUARY 20, 1895.

The Senate met pursuant to adjournment at 8 o'clock P. M., with Lieutenant-Governor Nye in the chair.

Senator Newby introduced Senate Bill No. 445, entitled :

A bill for an act providing for the appointment of a Board of Metropolitan Commissioners by the several Mayors of this State, defining their duties and providing the same with the clerk and fixing their compensation, abridging the term of the present Board of Metropolitan Commissioners, repealing all laws in conflict herewith and declaring an emergency.

Read the first time and referred to the Committee on Judiciary

Senator Holler introduced Senate Bill No. 446, entitled :

A bill for an act for the preservation of forests.

Read the first time and referred to the Committee on Agriculture.

Engrossed Senate Bill No. 293 was read the third time.

The question being, Shall the bill pass?

The roll was called, and resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Bethell, Bozeman, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Johnston, Kern, Kerns, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard. Total, 85.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 110 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Bethell, Bozeman, Ellison, Gifford, Gostlin, Holler, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Schneck, Self, Sweeney, Vail, White, Wishard. Total, 27.

Those voting in the negative were:

Senators Haggard, Houghton, McCord, McCutchan, Shiveley, Stuart, Watson. Total, 7.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 289 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Bethell, Bozeman, Ellison, Gifford, Haggard, Holler, Houghton, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard, Wray. Total, 36.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 313 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Bethell, Bird, Bozeman, Ellison, Gifford, Haggard, Holler, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCutchan, McDonald, Mull, McHugh, McKelvey, McLean, McManus, Newby, O'Brien, Parker, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard, Wray. Total, 34

Senator Houghton voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 257 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Barnes, Bethell, Bird, Bozeman, Ellison, Gifford, Holler, Houghton, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard, Wray. Total, 36.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed House bill No. 186 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Barnes, Bethell, Bozeman, Gifford, Haggard, Holler, Houghton, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard, Wray. Total, 34.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 163 was read a third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Barnes, Bethell, Bird, Bozeman, Ellison, Gifford, Haggard, Holler, Houghton, Johnston, Kern of Marion, Kerns of Vermillion, Leyden, McCord, McCutchan, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard, Wray. Total, 35.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 249 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Barnes, Bethell, Bird, Ellison, Gifford, Haggard, Houghton, Johnston, Kern of Marion, Kerns of Ver-

million, LaFollette, Léyden, McCord, McCutchan, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard, Wray. Total, 84.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 211 was read the third time.

Senator Haggard moved to refer the bill to the author for correction.

Which motion prevailed.

Senator Vail reported that he has corrected Senate Bill No. 211, as directed by the Senate.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Barnes, Bethell, Bird, Bozeman, Ellison, Gifford, Haggard, Holler, Houghton, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCutchan, McLean, McManus, Mull, Newby, O'Brien, Parker, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard. Total, 83.

Senator Wray voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The President of the Senate announced that he had appointed the following Senators as an escort for the remains of Isaac P. Gray, late Minister to Mexico: Senators Stuart, Holler, Kerns, Sweeney, McManus.

Senator McCutchan moved that when the Senate adjourns it adjourns to meet to-morrow at 9 o'clock A. M.

Which motion prevailed.



Engrossed Senate Bill No. 129 was read the third time.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Bozeman, Cranor, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Schneck, Self, Seller, Shiveley, Sweeney, Stuart, Vail, Watson, White, Wishard, Wray. Total, 42.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senator Shiveley offered the following resolution:

MR. PRESIDENT:

I move the adoption of the following resolution:

*Resolved*, That during the balance of the session of the Senate all roll-calls shall be made by beginning at the bottom of the roll as now prepared and calling the same upward.

SHIVELEY.

Read and referred to the Committee on Rules.

On motion of Senator Parker the Senate adjourned.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.

## THURSDAY MORNING.

FEBRUARY, 21, 1895.

The Senate met pursuant to adjournment at 9 o'clock with Lieutenant-Governor Nye in the chair.

After a portion of the Journal had been read on motion of Senator Houghton the further reading of the same was dispensed with.

Engrossed House Bill No. 107 was read the third time.

Senator Newby moved to recommit the bill to the Committee on Judiciary.

Which motion prevailed.

Senator Rinear was excused on account of sickness.

Senator Watson moved that when the Senate do adjourn, it adjourn until 9 o'clock A. M. to-morrow.

Which motion prevailed.

On motion of Senator Kern, the Senate adjourned.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.

## FRIDAY MORNING.

FEBRUARY 22, 1895.

The Senate convened at 9 o'clock A. M., with Lieutenant-Governor Nye in the chair.

The Journal was read and approved by the Senate.

Senator Shiveley made the following motion:

MR. PRESIDENT:

I move the reconsideration of the motion whereby Amendment No. 1, offered by Senator Kern, to Engrossed House Bill No. 97, was adopted.

SHIVELEY.

Senator O'Brien introduced Senate Bill No. 447, entitled :

A bill for an act fixing the time of holding the Circuit Courts in the Thirty-sixth Judicial Circuit of this State, repealing inconsistent laws, and declaring an emergency.

Read the first time and referred to the Committee on Organization of Courts.

Senators Barnes and Beck presented petitions asking for the enactment of a temperance education law.

Referred to the Committee on Temperance.

By request, Senator Collett introduced Senate Bill No. 448, entitled :

An act to prohibit the destruction of certain wild game within this State between the first day of January and the first day of October of each year.

Read the first time and referred to the Committee on Judiciary.

Senator Crumpacker presented a petition relative to barbering on Sunday.

Referred to the Committee on Railroads.

Senator Duncan presented a petition asking for the enactment of a temperance educational law.

Referred to the Committee on Temperance.

Senator Duncan presented a petition asking for the enactment of a pure food law.

Referred to the Committee on Agriculture.

Senator Houghton presented a petition relative to the Nicholson Bill.

Referred to the Committee on Temperance.

Senator LaFollette introduced Senate Bill No. 449, entitled :

A bill for an act to amend section 3 of an act entitled, an act to encourage the breeding of improved stock, giving the owners of sires a lien upon their "get" providing for the recording and enforcement of such lien and affixing penalties for the violation of this act, approved March 8, 1889, and declaring an emergency.

Read the first time and referred to the Committee on Agriculture.

Senator LaFollette introduced Senate Bill No. 450, entitled :

A bill for an act for the relief of John J. Moran and to pay him for injuries received from a convict in the State's Prison North, while employed as a guard therein, and declaring an emergency.

Read the first time and referred to the Committee on Claims.

Senator Newby (by request) introduced Senate Bill No. 451, entitled :

An act to provide for change of venue before a Justice of the Peace.

Read the first time and referred to the Committee on Judiciary.

Senator Self presented two petitions, which were referred to the Committee on Benevolent Institutions.

Senator Watson presented a petition, which was referred to the Committee on Temperance.

Senator Shiveley (by request) introduced Senate Bill No. 452, entitled :

A bill for a joint resolution for the appointing of a Joint Committee of the Senate and House to inquire into the advisability of adopting a voting machine to be used at all elections.

Read the first time and referred to the Committee on Elections.

Senator Kerns, Chairman of the Committee on Roads, made the following report:

MR. PRESIDENT:

Your Committee on Roads, to which was referred Senate Bill No. 381, introduced by Senator McManus, begs leave to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

W. F. KERNS,  
Chairman.

Which report was concurred in.

Senator Kerns, Chairman of the Committee on Roads, made the following report:

MR. PRESIDENT:

Your Committee on Roads, to which was referred Senate Bill No. 412, introduced by Senator LaFollette, begs leave to report the same back to the Senate with the recommendation that the bill do pass.

W. F. KERNS,  
Chairman.

The report was concurred in.

Senator Kerns, Chairman of the Committee on Roads, made the following report:

MR. PRESIDENT:

Your Committee on Roads, to which was referred Senate Bill No. 428, introduced by Senator Wray, begs leave to report the same back to the Senate with the recommendation that the bill do pass.

W. F. KERNS,  
Chairman.

Which report was concurred in.

Senator Crumpacker, Chairman of the Committee on Railroads, made the following report:

MR. PRESIDENT:

Your Committee on Railroads, to which was referred Senate Bill No. 439, introduced by Senator Crumpacker, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

CRUMPACKER,  
Chairman.

The report was concurred in.

Senator Schneck, Chairman of the Committee on Mines, Mining and Manufactures, made the following report:

MR. PRESIDENT:

Your Committee on Mines, Mining and Manufactures, to which was referred Senate Bill No. 403, introduced by Senator Schneck, begs leave to report the same back to the Senate, with the recommendation that it do pass.

SCHNECK,  
Chairman.

The report was concurred in.

The Committee on Natural Gas made the following reports:

MR. PRESIDENT:

Your Committee on Natural Gas, to which was referred House Bill No. 117, introduced by Mr. Hundley, begs leave to report the same back to the Senate, with the recommendation that the further consideration of the same be indefinitely postponed.

J. J. M. LaFOLLETTE,  
Chairman.

JAMES O'BRIEN,  
O. A. BAKER.

MR. PRESIDENT:

A minority of your Committee on Natural Gas, to which was referred House Bill No. 117, introduced by Mr. Hundley, begs leave to report the same back to the Senate with the recommendation that the same do pass.

CRANOR,  
JAMES McHUGH,  
CHAS. E. SHIVELY.

The question being, Shall the minority report be substituted for the majority ?

Senators Cranor and Self demanded the ayes and noes.

Those voting in the affirmative were :

Senators Cranor, McHugh, Self. Total, 3.

Those voting in the negative were :

Senators Baker, Barnes, Beck, Boord, Bozeman, Collett, Crumpacker, Duncan, Gifford, Gostlin, Haggard, Houghton, Humphreys, Johnston, LaFollette, Leyden, McCord, McCutchan, McDonald, McKelvey, McLean, Mull, O'Brien, Parker, Phares, Rinear, Seller, Shiveley, Watson, White, Wishard, Wray, Alexander, Bird. Total, 34.

So the minority report was not substituted for the majority report.

The majority report was then adopted.

Senator Bethell, Chairman of the Committee on Public Health, Vital and Other Statistics, made the following report.

MR. PRESIDENT :

Your Committee on Public Health, Vital and Other Statistics, to which was referred Senate Bill No. 244, introduced by Senator Baker, begs leave to report the same back to the Senate with the recommendation that the bill do pass.

W. J. BETHELL,  
Chairman.

The report was concurred in.

Senator Bethell, Chairman of the Committee on Public Health, Vital and other Statistics, to which was referred Senate Bill No. 273, introduced by Senator Bethell, begs leave to report the same back to the Senate, with the recommendation that the bill do pass.

W. J. BETHELL,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 422, introduced by Senator Mull, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 419, introduced by Senator Duncan, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 391, introduced by Senator Boord, begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.



Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 852, introduced by Senator Gifford, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 363, introduced by Senator McCutchan, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 286, introduced by Senator Seller, begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 388, introduced by Senator McDonald, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 288, introduced by Senator Seller, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 344, introduced by Senator Seller, begs leave to report the same back to the Senate, with the recommendation that section 1 of said bill be amended by inserting after the word "thereof" in line 10 the following words: "*Provided*, That the plaintiff shall file with his complaint a good and sufficient bond to be approved by the Clerk of the Court, providing for the payment of any costs that may be adjudged against the plaintiff in said action.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Watson offered the following resolution :

MR. PRESIDENT :

WHEREAS, At a special election held on the 19th day of February, 1895, for the election of a Senator from the counties of Wabash and Kosciusko, the Hon. A. C. Manwaring was duly elected Senator from said counties, to fill the unexpired term of the Hon. J. D. Thayer, deceased ; therefore be it

*Resolved*, That said Hon. A. C. Manwaring be sworn in as Senator without further delay.

WARD H. WATSON.

The resolution was adopted.

Hon. A. C. Manwaring was escorted to the bar of the Senate by Senator Watson, and the oath of office was duly administered by Judge Hadley of Hendricks County.

The Committee on Soldiers' and Sailors' Monument made the following report :

MR. PRESIDENT :

Your Committee on Soldiers' and Sailors' Monument, to which was referred House Bill No. 587, introduced by Mr. McIntosh, would report they have had the same under consideration and recommend that the same do pass.

H. C. DUNCAN,  
GEO. W. SELF,  
V. P. BOZEMAN,  
A. J. McCUTCHAN.

The report was concurred in.

Senator Shiveley moved that the constitutional rule requiring bills to be read on three several days be suspended, the bill be read a second time by title and the third time by sections and placed upon its passage.

Those voting in the affirmative were :

Senators Baker, Boord, Bozeman, Collett, Cranor, Crum-packer, Duncan, Gostlin, Haggard, Houghton, LaFollette, McCord, McCutchan, Manwaring, Newby, O'Brien, Phares, Schneck. Self, Shiveley, Vail, Watson, White, Wishard.  
Total, 24.

Those voting in the negative were:

Senators Alexander, Barnes, Beck, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Seller, Wray. Total, 16.

So the constitutional rule was not suspended.

Senator Ellison moved to postpone the special order of 10 o'clock until to-morrow morning at 10 o'clock A. M., February 23, 1895.

Which motion prevailed.

Senator Newby, Chairman of the Committee on Judiciary, made the following reports:

MR. PRESIDENT:

A majority of your Committee on Judiciary, to which was referred Senate Bill No. 424, introduced by Senator Watson, begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,

Chairman.

MR. PRESIDENT:

A minority of your Committee on Judiciary, to which was referred Senate Bill No. 424, introduced by Senator Watson, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. VAIL.

Senator Shiveley moved to refer the bill to the author for amendment.

Which motion prevailed.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 329, introduced by Senator Gifford, begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 354, introduced by Senator Boyd, begs leave to report the same back to the Senate, with the recommendation that the further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 358, introduced by Senator Wray, begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Senator Wray moved to reject the report of the committee.

Senator Wray demanded the ayes and noes.

Those voting in the affirmative were :

Senators Barnes, Bird, Collett, Duncan, Gifford, Gostlin, Humphreys, McCord, McDonald, McKelvey, Manwaring, Seller, Watson, Wray. Total, 14.

Those voting in the negative were :

Senators Alexander, Baker, Boord, Cranor, Haggard, Houghton, Johnston, Kern of Marion, LaFollette, Leyden, McCutchan, McLean, Newby, Parker, Phares, Schneck, Self, Shively, Vail, White, Wishard, Bozeman, Crumpacker. Total, 23.

So the motion was lost.

The President of the Senate made the following announcement :

*To the Senate :*

I have signed Enrolled House Bill No. 333.

MORTIMER NYE,  
President of the Senate.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 399, introduced by Senator McDonald, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 153, introduced by Senator Wishard, begs leave to report the same back to the Senate, with the recommendation that the word "amended" be stricken out of line (1) one of the title to the bill, and that the word "repeal" be inserted in lieu thereof.

And that all that part of section one of the bill after the word "be" in line (11) eleven be stricken out and the words "and the same is hereby repealed" inserted in lieu thereof.

And that when said bill is so amended that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 340, introduced by Senator McDonald, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,

Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 320, introduced by Senator McDonald, begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 150, introduced by Senator Wray, begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,

Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 60, introduced by Senator Wray, begs leave to report the same back to the Senate, with the recommendation that further consideration of the said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Special order Engrossed Senate Bill No. 373 was read the third time.

Senator Parker moved to refer to the author for revision.

Senator Seller moved to adjourn.

The motion was lost.

Senator Wishard moved to adjourn until 8 o'clock p. m.

The motion was lost.

Senator Wishard moved that when the Senate adjourns, it adjourn until to-morrow morning at 9 o'clock.

Which motion prevailed.

On motion of Senator McCutchan the Senate adjourned.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.



## SATURDAY MORNING.

FEBRUARY 23, 1895.

The Senate met at 9:30 A. M , with President *pro tem*. Newby in the Chair.

After the reading of a portion of the Journal, on motion of Senator Haggard the further reading of the same was dispensed with.

Senator Vail, Chairman of the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills, to which was referred Enrolled Senate Bill No. 1, introduced by Senator Haggard, begs leave to report that they have compared the enrolled bill with the bill as passed by the Senate, and find the same correct.

L. VAIL,  
Chairman.

Which report was concurred in.

The consideration of Engrossed Senate Bill No. 373 was now resumed.

Senator McDonald moved to amend the original motion by recommitting the bill to the Committee on Education for amendment.

Senator Haggard moved the previous question.

The Senate refused to second the demand.

Senators Wray and Seller demanded the ayes and noes.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Bird, Bozeman, Cranor, Ellison, Gifford, Houghton, Humphreys, Johnston, Kern of Marion, LaFollette, McCord, McDonald, McKelvey, McLean, Parker, Seller, Stuart, Sweeney, Vail, Watson, Wishard. Total, 22.

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Those voting in the negative were :

Senators Baker, Boord, Boyd, Collett, Duncan, Haggard, Holler, Kerns of Vermillion, Manwaring, O'Brien, Phares, Schneck, Self, Shiveley, White, Wray. Total, 15.

So the bill was recommitted to the Committee on Education.

The following message was received from the President *pro tem.* :

*To the Senate :*

I have signed Enrolled Senate Act No. 1.

L. P. NEWBY,  
President *pro tem.*

The following message was received from the President *pro tem.* :

*To the Senate :*

I have signed Enrolled House Bill No. 126.

L. P. NEWBY,  
President *pro tem.*

Senator Vail, Chairman of the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills, to which was referred Senate Enrolled Bill No. 22, introduced by Senator Seller, and Senate Enrolled Bill No. 6, introduced by Senator Shiveley, begs leave to report that they have compared the enrolled bills with the bills as passed by the Senate and find the same to be correct.

L. W. VAIL,  
Chairman.

The report was concurred in.

Senator Boord, Chairman of the Committee on Corporations, made the following report :

MR. PRESIDENT :

Your Committee on Corporations, to which was referred Senate Bill No. 328, introduced by Senator McCutchan, begs leave to report the same back to the Senate, with the recommendation that it do pass.

Boord,  
Chairman.

Which report was concurred in.

Senator Boord, Chairman of the Committee on Corporations, made the following report :

MR. PRESIDENT :

Your Committee on Corporations, to which was referred Senate Bill No. 49, introduced by Senator LaFollette, begs leave to report the same back to the Senate, with the recommendation that subdivisions Nos. 19 and 20 of section 1 be stricken out and that the following be inserted as subdivision No. 19, to wit :

To establish hospitals for the treatment of sick, wounded and injured persons and for the care of the infirm, and schools for the education and training of nurses, with power to purchase and hold real estate and convey the same, and receive donations, devises and bequests of real and personal property for the use and benefit of such association.

Boord,  
Chairman.

The report was concurred in.

Senator Boord, Chairman of the Committee on Corporations, made the following report :

MR. PRESIDENT :

Your Committee on Corporations, to which was referred Senate Bill No. 169, introduced by Senator Boord, begs leave to report the same back to the Senate with the recommendation that the same do pass.

Boord,  
Chairman.

Which report was concurred in.

Senator Baker introduced Senate Bill No. 453, entitled :

A bill for an act to amend sections 1 and 2 of an act entitled "An act empowering County Commissioners to appropriate money for the erection of soldiers' monuments, and declaring an emergency," approved April 11, 1885, repealing all conflicting laws, and declaring an emergency.

Read the first time and referred to the Committee on Military Affairs.

Senator Baker, Chairman of the Committee on Insurance, made the following report :

MR. PRESIDENT :

Your Committee on Insurance, to which was referred Senate Bill No. 420, introduced by Senator Duncan, begs leave to report the same back to the Senate with the recommendation that said bill be amended :

*First.* By striking out the words "present at such meeting," in line 20, section 2, thereof.

*Second.* By inserting the following words directly following the word "henceforth," in next to the last line of the second page of said bill, and between said word and the word "such" following, to wit: "Upon the payment to such office of the fee provided by law to be paid for the incorporation of joint stock companies, and said company shall then become a body corporate, with the power and authority to sue and be sued as such in any proper court, and."

O. A. BAKER,  
Chairman.

Which report was concurred in.

The Committee on Insurance made the following report :

MR. PRESIDENT :

Your Committee on Insurance, to which was referred Senate Bill No. 430, introduced by Senator Schneck, begs leave to report the same back to the Senate with the recommendation that the same do pass.

O. A. BAKER,  
Chairman.

Which report was concurred in.

Senator O'Brien, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to whom was referred House Bill 282, introduced by Representative Holloway, report that they have had the same under consideration, and beg leave to report the same back, with the recommendation that the bill do pass after it has been amended as follows :

In section 9, to amend section 51, after the word "void" that the words, "neither the Common Council nor any of the department, nor any officer or employe thereof, shall make any contract for, or pay any sum for printing, at a rate to exceed the rate which may be fixed by law for similar work done for the county in which such city is situate," shall be stricken out.

In section 19, to amend section 74 after the word "thereon," that the words "the cost of all street and alley intersections and parts of all streets and alleys entering into but not crossing any street or alley, shall be paid wholly out of the general fund of such city. Such assessment shall be made without regard to the assessment for taxation, as hereinafter provided," be stricken out and the following words inserted in lieu thereof : "The remaining one-half cost of street and alley intersections shall be apportioned upon the lands or lots abutting on the street or alley intersecting the street or alley improvement for a distance to the street line of the first street parallel to the street or alley under improvement in either direction from the street or alley improved. Should a street or alley enter into and not cross the street or alley under improvement, then the assessment for the cost of one-half of said entering street or alley, measured to the center line of the street or alley under improvement, shall be made on the lots or lands abutting on said entering street or alley for a distance to the street line of the first street parallel to the street or alley under improvement, and such last named assessment shall be made *pro rata* upon the lots or lands abutting on said street or alley. Such assessment shall be made without regard to the assessment for taxation, as hereinafter provided."

Also in said section 19, after the word "improvement," that the following be inserted : "And the owners of lots or lands

on the streets or alleys intersecting or entering into such street or alley, shall be liable to the city for their proportion of the cost of improving the one-half of the street and alley intersections, in the proportion that their front line on said street or alley bears to the sum of the length of the front line of said lots or lands abutting on said street or alley for a distance as provided above, from the street or alley under improvement."

In section 24, to amend section 87, after the words "shall be," that the words "paid wholly out of the general fund of such city," be stricken out, and the following words inserted in lieu thereof: "Assessed, one-half against the city and paid out of the general fund, and one half against each piece of property in the district or area to be drained, in the proportion its area bears to the total area of the district, including abutting property holders as well as the holders not situate on the line of such drain or sewer."

Respectfully submitted,

O'BRIEN,

Chairman.

The bill was ordered printed.

The following message was received from the Governor:

MR. PRESIDENT:

By the direction of the Governor I hereby inform the Senate that he has signed Enrolled Senate Bill No. 1, the same being "An act to establish and maintain the Indiana State Home for Disabled or Destitute Soldiers and Sailors," and other matters connected therewith.

Respectfully,

MYRON D. KING,

Private Secretary.

Senator O'Brien, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 892, introduced by Senator Gostlin, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

JAMES O'BRIEN,  
Chairman.

The report was concurred in.

Senator O'Brien, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 435, introduced by Senator Phares, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

JAMES O'BRIEN,  
Chairman.

The report was concurred in.

Senator O'Brien, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 384, introduced by Senator Sweeney, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

JAMES O'BRIEN,  
Chairman.

Which report was concurred in.

Senator O'Brien, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 407, introduced by Senator Shiveley, begs leave to report the same back to the Senate with the recommendation that the same do pass.

JAMES O'BRIEN,  
Chairman.

Which report was concurred in.

Senator O'Brien, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 362, introduced by Senator Baker, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

JAMES O'BRIEN,  
Chairman.

The report was concurred in.

Senator O'Brien, Chairman of the Committee on Cities and Towns, made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 444, introduced by Senator McCord, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

JAMES O'BRIEN,  
Chairman.

The report was concurred in.



Senator Haggard, Chairman of the Committee on Finance, made the following report :

MR. PRESIDENT :

Your Committee on Finance, to which was referred Engrossed House Bill No. 525, introduced by Mr. Allen, begs leave to report the same back to the Senate with the recommendation that the bill do pass.

HAGGARD,  
Chairman.

The report was concurred in.

Senator Haggard, Chairman of the Committee on Finance, made the following report :

MR. PRESIDENT :

Your Committee on Finance, to which was referred Engrossed House Bill No. 125, introduced by Mr. Merritt, begs leave to report the same back to the Senate, with the recommendation that the bill do pass.

HAGGARD,  
Chairman.

The report was concurred in.

Senator Haggard, Chairman of the Committee on Finance, made the following report :

MR. PRESIDENT :

Your Committee on Finance, to which was referred Engrossed House Bill No. 341, introduced by Mr. Allen, begs leave to report the same back to the Senate, with the recommendation that the bill do pass.

HAGGARD,  
Chairman.

The report was concurred in.

On motion of Senator Haggard the consideration of this bill was made a special order for this afternoon at 2 o'clock.

Senator Duncan, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Concurrent Resolution No. 20, introduced by Senator Duncan, begs leave to report the same back to the Senate, with the recommendation that the same be adopted and that Hon. Robert S. Hatcher be and hereby is appointed a Special Commissioner to investigate the matter of the seal of the State of Indiana and report the facts in connection with its use in said State, and whether said State has any legally authorized Great Seal or Coat of Arms, for the information of the Senate.

H. C. DUNCAN,  
Chairman.

The report was concurred in.

The Committee on Corporations made the following reports:

MR. PRESIDENT:

The majority of your Committee on Corporations, to which was referred Senate Bill No. 65, introduced by Senator Wray, begs leave to report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

BOARD,  
Chairman.

H. C. DUNCAN,  
W. E. McCORD,  
L. SCHNECK.

MR. PRESIDENT:

The minority of your Committee on Corporations, to which was referred Senate Bill No. 65, introduced by Senator Wray, begs leave to report the same back to the Senate, with the recommendation that the said bill do pass.

RINEAR.

Senator Seller moved that the consideration of the bill be made a special order for this afternoon at 3 o'clock.

Which motion prevailed.

Senator Boord, Chairman of the Committee on Corporations, made the following report :

MR. PRESIDENT :

Your Committee on Corporations, to which was referred Senate Bill No. 393, introduced by Senator Houghton, begs leave to report the same back to the Senate, with the recommendation that the following substitute therefor be passed.

BOORD,  
Chairman.

Substitute Bill No. 393:

An act to authorize street railway companies to supply electricity and steam for light, heat and power, and declaring an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That any street railway company whose lines of street railway are operated, in whole or in part, by electrical power, may, with the consent of all the stockholders of such company, engage in the business of supplying electricity and steam for light, heat and power in the town or city, and its vicinity, in which such street railway is operated, and to that end may take, by grant or assignment, and exercise all such rights, privileges, easements and franchises, and construct, or otherwise acquire and own and operate, such machinery and plant and other property, real and personal, as may be required to enable said company to engage in and carry on such business. And such company may also, for the same purpose, purchase, or otherwise acquire, and hold and use the plant and other property, real and personal, rights, privileges, easements and franchises of any incorporated company which may be engaged in supplying electricity or steam for light, heat or power in such city or town, or its vicinity, with like consent of all the stockholders of such latter company.

SEC. 2. Any street railway company engaged in the business of supplying electricity or steam for light, heat and power, shall have the same right to sell, convey, mortgage, or otherwise dispose of, or encumber its property and franchises acquired and used for the purposes of said business, either separately or in connection with its street railway property and franchises, as it possesses, with reference to such street railway property and franchises.

SEC. 3. There being an emergency for the immediate taking effect of this act, the same shall be in force from and after its passage.

Which report was concurred in.

Senator Boord, Chairman of the Committee on Corporations, made the following report:

MR. PRESIDENT:

Your Committee on Corporations, to which was referred Senate Bill No. 165, introduced by Senator Boord, begs leave to report the same back to the Senate, with the recommendation that the following, as a substitute, be passed.

Substitute Senate Bill No. 165.

A bill for an act concerning building, loan fund and savings associations, and the fees and charges thereof, prescribing certain duties of persons named therein, and the penalties for the violation thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That it shall be unlawful for any building, loan fund or savings association doing business in the State of Indiana to charge or collect from any of the members thereof on any stock, or shares of stock therein, any money or moneys other than dues on stock, premium, interest, fines, forfeitures, initiation or entrance fees, transfer fees or withdrawal fees.

All initiation, membership or entrance fees, transfer fees, withdrawal fees, fines, fees collected by agents soliciting stock, premium and interest, shall be credited to the earnings, and all expenses shall be paid out of the earnings of such building, loan fund or savings association. The foregoing provisions shall not apply to charges upon stock issued prior to the taking effect of this act. Such association shall have the right to set aside from the profits a reserve fund to provide against contingent losses; the total fund of such association shall at no time exceed one per cent. of the assets of such association.

SEC. 2. All stock of such building, loan fund or savings associations other than that upon which dues are paid in installments, as provided by the by-laws for the payment on running stock, shall be subject to taxation.

SEC. 3. It shall be the duty of the Secretary of every building, loan fund and savings association, doing business in the State of Indiana, to file with the Auditor of State during the month of July of each year, as now provided by law, a statement showing the receipts and expenditures of such association for the year ending June 30, previous thereto, which statement shall contain an itemized statement of all expenses of such association for such year, when and to whom and for what purpose the same was paid; and said Secretary shall at the same time deliver or mail to each stockholder of such association, at his usual place of residence, a copy of such statement. The secretary of every association shall, during the month of each year, furnish to the Auditor of the county where such association is situated a list of all stock subject to taxation and by whom the same is held.

SEC. 4. It shall be the duty of the Auditor of State whenever he deems it necessary to make or cause to be made an examination of the affairs of any building, loan fund, or savings association, and if such association is being carried on in violation of law, to require such association to conform to the laws governing such association, and any association refusing to comply with the order of the Auditor of State in reference to any such matters within ten days after receiving notice shall be subject to a penalty of five dollars per day for such failure or refusal. Should any such association be found to be insolvent the Auditor of State shall apply to the Circuit or Superior Court of the county where the same is situated for the appointment of a receiver who shall proceed to close up the business of such association. The Auditor of State shall be allowed the sum of five dollars per day and one dollar for every twenty-five miles necessarily traveled in making such examination.

SEC. 5. Any such association shall have the power to charge and collect from any borrower a loan fee not to exceed ten dollars to be used for defraying the expenses of making such loan. Any person withdrawing within one year from the time of becoming a member shall be entitled to the amount paid in on dues, less all fines and withdrawal fees, but in no case shall more than fifty cents be retained for withdrawal fees on each share of stock. Persons withdrawing after one year shall be entitled to all dues paid in with ~~six~~ per cent. interest on same,

less fines and withdrawal fees. Such association shall have the power to provide for the assessment and collection of fines for non-payment of dues, premium or interest, but such fines shall not exceed ten per cent. of the amount of the delinquent installment, and shall be charged only once on such installment. Such association shall have the power to provide for the forfeiture of stock for the non-payment of dues, premium or interest for three months; after the payment of all fines and withdrawal fees, the remainder, if any, shall be credited to such stockholder and he shall be notified of amount due to him, or in case he is a borrower, such remainder shall be credited on his loan, and the balance of such loan shall be due and payable and may be collected at once on foreclosure. The bonds, notes, or mortgages belonging to any association shall not be negotiable except upon an order of the Circuit or Superior Court having jurisdiction thereof. Any officer or director violating any of the provisions of this act shall be guilty of a misdemeanor and on conviction may be fined in any sum not less than ten nor more than one hundred dollars.

BOARD.

The report was received and on motion of Senator Vail was ordered printed.

Senator Shiveley moved that Senate Bill No. 26 be referred to the author for revision.

Which motion prevailed.

Senator Crumpacker asked leave of absence for Senators Gostlin and McCutchan, which was granted.

Senator Holler, Chairman of the Committee on Agriculture, made the following report:

MR. PRESIDENT:

Your Committee on Agriculture, to which was referred Senate Bill No. 446, introduced by Senator Holler, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

C. HOLLER,  
Chairman.

The report was concurred in.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 500, 442, 89 and 65 and Engrossed Senate Bill No. 58, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 442:

A bill for an act defining the First and Eleventh Judicial Circuits and creating and defining the Fifty-seventh Judicial Circuit, fixing the times of holding court therein, providing for the appointment and election of Judges and Prosecuting Attorneys and otherwise regulating the manner of holding courts in said circuits, and repealing all laws in conflict therewith.

Read the first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 89:

An act in relation to appeals to the Supreme and Appellate Courts.

Read the first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 65:

An act to authorize the Boards of Commissioners of the several counties in this State to purchase the toll roads in their respective counties and make them free.

Read the first time and referred to the Committee on Roads.

Engrossed House Bill No. 500:

An act to amend an act entitled "An act to amend section 1 of an act entitled an act regulating foreign insurance companies doing business in this State, prescribing the duties of the agents thereof, and of the Auditors of the State in connection therewith, and prescribing penalties for the violation of the provisions of this act, approved December 21, 1865, and adding supplemental sections thereto," approved March 3, 1877, and repealing all acts in conflict therewith, and declaring an emergency.

Read the first time and referred to the Committee on Insurance.

Senator Shiveley reported that he had amended Senate Bill No. 26, as follows:

MR. PRESIDENT:

Your committee of one, to whom was referred Senate Bill No. 26, reports the same back and recommends the adoption of the following substitute therefor.

SHIVELEY.

Said substitute bill is as follows:

An act providing for a Metropolitan Police Force in all cities containing not less than ten thousand inhabitants, and not more than thirty-five thousand inhabitants, and for the appointment of a Board of Metropolitan Police Commissioners for such cities, and defining their duties and prescribing their powers; providing for the appointment of officers, patrolmen and other members of the Metropolitan Police Force of such cities, by such Board, and the manner of paying them for their services, and repealing certain laws, and declaring an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That in all cities of this State of seven thousand inhabitants, and not exceeding thirty-five thousand inhabitants, according to the United States census of 1890, or according to a census taken under the authority of the Mayor of such city, there shall be established, within and for such cities, a Board of Metropolitan Police Commissioners, to consist of three



members, not more than two of which Commissioners, so appointed, shall be of the same political party. The said Commissioners, to be so appointed, shall be of good moral character, sober, and discreet, and *bona fide* residents of the city for which they are appointed, one of said Commissioners to serve until the first Tuesday of January, 1896, and one to serve until the first Tuesday of January, 1897, and one to serve until the first Tuesday of January, 1898; and the term of their respective successors to be for three years; and each of said Commissioners shall be subject to removal by said Mayor for any cause which he may deem sufficient. Before entering upon their duties, said Commissioners shall each take and subscribe an oath before the Clerk of the Circuit Court of the county within which such city is located, that they will honestly and faithfully perform and discharge the duties of their office; and that in any and every appointment or removal to be by them made to or from the police force created and to be organized by them, under this act, they shall in no case, and under no pretext, appoint or remove any policeman, officer or other person because of any political feeling held by such policeman, officer or other person, or for any cause or reason other than that of fitness or unfitness of such person, in the best judgment of said Commissioners, for the place to which he shall be appointed or from which he may be removed; and the said oath shall be recorded and placed among the records of said court.

Said Commissioners shall each give bond in the penal sum of five thousand dollars, payable to the State of Indiana, conditioned for the faithful and honest discharge of their duties, which bond shall be approved by the said Mayor.

The salary of the Board of Metropolitan Police Commissioners shall be fixed by said Mayor, which salary shall not exceed five hundred dollars each per annum, payable monthly out of the treasury of such cities.

SEC. 2. The said Board of Metropolitan Police Commissioners shall have power to appoint a Superintendent of Police, Captains, detectives and such other officers and patrolmen as they may deem advisable; and said Captains, detectives and such other officers and patrolmen to be appointed equally between the two leading political parties of said city. Said Com-

missioners shall not have power to appoint more than one patrolman for each one thousand inhabitants in such city.

Said Superintendent, captains, officers and patrolmen shall receive such compensation as the commissioners shall determine: *Provided*, That the compensation for a superintendent shall not be less than eight hundred dollars nor more than twelve hundred dollars per annum; that the compensation for a captain shall not be less than seven hundred dollars nor more than nine hundred dollars per annum; that the compensation for patrolmen shall not be less than five hundred and fifty dollars nor more than seven hundred and twenty dollars per annum. The compensation of all other officers and employes shall be fixed and determined by the commissioners as in their judgment will be reasonable, and to promote good government in such cities. All persons so appointed shall serve during good behavior and shall be of good moral character and be able to speak the English language. Such commissioners shall have power, for cause assigned on a public hearing and on due notice, according to rules to be promulgated by them, to remove or suspend from office, or for a definite period deprive of pay any officer or member of such police force (except that detectives may be dismissed at any time by said commissioners), and they shall have power to make general and special rules and regulations for the government and discipline of said force and to make and promulgate general and special orders to said force, through the Superintendent of Police, who shall be the executive head of the force.

SEC. 3. The said Mayor shall fill all vacancies occurring on said Board of Metropolitan Police Commissioners, but in making the appointment to fill any vacancy or of the successors of the members whose terms expire from time to time, the Mayor shall make such appointments so that said Board of Metropolitan Police Commissioners shall always be composed of not more than two members from any one political party.

SEC. 4. Said Commissioners shall appoint one of their number to act as President, who shall be *ex officio* a member of the Board of Health of said city; and they shall appoint one of their number to act as Secretary and Property Clerk, who shall keep a full and complete record of all the proceedings of said Board in a substantially bound book provided for that

purpose; and said Secretary shall receive such compensation annually as may be determined by said Commissioners, not to exceed fifty dollars per annum, and hold his office at the pleasure of such Commissioners.

**SEC. 5.** The qualifications, enumeration and distribution of duties and mode of trial and removal from office of such officers and pay of such police force, shall be particularly defined and prescribed by rules and regulations of such Commissioners of Police.

**SEC. 6.** Said Commissioners shall, as soon as they have been appointed and qualified, assume and exercise the entire control of the police force of such city, and shall possess full and exclusive power and authority over the police organization, government, appointment and discipline within the city; it shall have the custody and control of all public property, including station house and city prisons, patrol wagons, books, records and equipments belonging to the Police Department.

All existing Police Boards, police officers and police forces created and maintained by the ordinances or resolutions of the Board of Aldermen or Common Council of any such city or by the provisions of any statute, are hereby abolished, to take effect upon the organization of the Board of Metropolitan Police Commissioners of such city hereby created.

**SEC. 7.** The officers and members of such Metropolitan Police Force shall possess all the common law and statutory powers of constable, except for the service of civil process.

**SEC. 8.** It shall be the duty of the Board of Aldermen and Board of Common Council of such cities as shall have two such Boards, and of the Common Council of such cities where but one of such Boards exist, to provide, at the expense of such city, all necessary accommodations within such city limits for station houses, to furnish the same, to warm and light the same by day and night, and to provide food for person or persons detained in any of said station houses, when such food is deemed necessary for such person or persons by the officer in charge.

Also, to provide for the payment, monthly, of the pay-rolls of the officers, members and employees of such Board of Metropolitan Police Commissioners, upon the certificate of the President and Secretary of such Board as to the correctness of the

same; also, for such necessary office expenses, record books, stationery, printing, telegraphing, badges, clubs, furniture for rooms, and for the preservation, repair and cleaning of the buildings and rooms used by the Commissioners, for advertising, fuel, light, board of prisoners, it being the intention and meaning of this section that the necessary expenses incurred in the execution of criminal process, for offenses charged to have been committed in such city by the Board of Metropolitan Police Commissioners and the maintenance of the Police Department, hereby created within such city, shall be a charge to such city.

SEC. 9. The members of the Metropolitan police force shall have the exclusive power, and it shall be their duty, to serve all process within such city issuing from the Mayor or City Judge's Court of such city; and all the duties formerly performed by the City Marshal or his deputy in serving writs, executing orders of said Court, attending said Court, conveying prisoners to and from the county jail or station-house of such city for arraignment on trial before said Court, or conveying prisoners to the House of Correction or Work-house, Reform School or county jail, or other place of punishment and imprisonment, under a judgment, sentence or order of process of said Court, shall be performed by members of such Metropolitan police force as the Superintendent thereof may designate; and all of the duties performed by the Marshals of said cities when they were in office shall be performed by the Superintendent of the Metropolitan police force, or such officer as he may designate, and under his direction.

SEC. 10. No officer or member of such Metropolitan police force shall receive for any services rendered by him in discharge of any police duty, or as witness in any case before the Mayor or City Judge, Justice of the Peace, or for any duty performed as bailiff of such court, any fee or compensation whatever, except the regular fixed per diem or yearly allowance made for his services as officer or member of such police force.

SEC. 11. Any person or persons, or corporation, or Common Council, or other municipal, township, county or State officer or officers, who shall in any manner interfere with or interrupt the Board of Metropolitan Police Commissioners of

such city in any act of theirs while in the legal discharge of their duties as provided in this act, or of the police force herein authorized to be created, or shall prevent such Board or force from discharging their duties as defined in this act, shall, upon conviction before the Circuit or Criminal Court of said county, be fined not less than one hundred dollars nor more than one thousand dollars, to which may be added imprisonment for not less than ten days nor more than ninety days for each separate offense.

SEC. 12. The Commissioners, whenever it shall seem to them discreet, may, on the application of any person or persons showing the necessity therefor, appoint and swear in any number of additional patrolmen to do duty at any place within said city at the charge and expense of the person or persons by whom the application may be made, and the patrolmen so appointed shall perform duty only at the place designated by such Commissioners. They shall continue in office at the pleasure of said Commissioners for a term not exceeding one year; shall be subject to and obey the orders, rules and regulations of such Commissioners, and conform to the general discipline of the police force of such city, under such special regulations as may be made by said Commissioners for their government; and the persons so appointed may be removed at any time, by the Commissioners.

The Commissioners may, upon emergency, with the written consent of the said Mayor of said city, appoint such number of special patrolmen as they may deem advisable; but such special patrolmen shall serve for not exceeding seven consecutive days, unless their employment for a longer period shall be approved of, by the Board of Police Commissioners of such city; and the said special patrolmen shall be paid in the same manner as hereinbefore provided for the regular force, in proportion to the time they have served.

SEC. 13. It shall be unlawful for any patrolman or other member of said force, while on duty, to solicit any person to vote at any general or special election, for any candidate or candidates for office, or to challenge any voter or in any manner attempt to influence any elector at such elections, or to be a delegate to or candidate at any political convention or to solicit votes for any candidate for any delegate to any such

convention; and any patrolman or other member of such force, so offending, shall be fined in any sum not less than ten dollars, nor more than fifty dollars, and be dismissed from the service.

SEC. 14. The superintendent, captains and such other officers as such Police Board may determine, shall each give bond in the penal sum of from one thousand dollars to three thousand dollars, to be determined by the Commissioners, conditioned for the faithful discharge of their several duties.

SEC. 15. The fees fixed and allowed formerly to City Marshals shall be taxed and allowed in all cases where the arrests are made, or process served by any of the police force of said cities, in favor of said city, and shall be collected in the same manner as other costs are collected, and shall be paid into the city treasury of said city by the officer or party or person collecting the same every three months.

SEC. 16. That an act entitled "An act providing for a metropolitan police in all cities of twenty-nine thousand or more inhabitants, and for the appointment of a Board of Metropolitan Police Commissioners for such cities, and defining their duties and prescribing their powers, providing for the appointment of officers, patrolmen and other members of the metropolitan police force of such cities by such Board, and the manner of paying them for their services, and providing for the abolition of existing Boards of Police and police forces in such cities having twenty-nine thousand or more inhabitants, and for the abolition of the office of City Marshal in such cities, and declaring an emergency," reconsidered March 5, 1883, and again passed, notwithstanding the objection of the Governor, reconsidered March 4, 1891, and again passed, notwithstanding the objection of the Governor, and all amendments thereto and all laws and parts of laws in conflict with this act be and the same are hereby repealed.

SEC. 17. Whereas, an emergency exists for the immediate taking effect of this act, therefore the same shall be in force on and after its passage.

Senator Shiveley moved that the report be printed.

Which motion prevailed.

Senator Seller introduced Senate Bill No. 454, entitled :

A bill for an act to amend section 6 of an act approved March 10, 1875, the same being section 1410 of the Revised Statutes of 1881, the same being section 1476 of Burns' Revised Statutes of 1894.

Read the first time and referred to the Committee on Judiciary.

Senator Kern introduced Senate Bill No. 455, entitled :

A bill for an act concerning streets in platted additions to cities and towns, which are not included within the corporate limits of any city or town.

Read the first time and referred to the Committee on Cities and Towns.

Senator Wishard introduced Senate Bill No. 456, entitled :

An act to provide for the establishment of a system of civil service, based upon merit and fitness, in connection with the employes of the penal, reformatory and benevolent institutions of the State of Indiana, making the Board of State Charities a civil service commission, authorizing such commission, in connection with the Governor, to formulate a system of rules and regulations governing appointments, promotions and discharges in such civil service, providing for examinations, making an appropriation for the execution of this act, and declaring an emergency.

Read the first time and referred to the Committee on Prisons.

Senator White introduced Senate Bill No. 457, entitled :

An act defining the Second and Third Judicial Circuits of the State of Indiana, and fixing the length of the terms, and the times of holding the terms of court in each of said Circuits, and providing that the Prosecuting Attorney of the Second Circuit shall continue as the Prosecuting Attorney of the three counties now composing such circuit until the next general election, and repealing all laws in conflict and declaring an emergency.

Read the first time and referred to the Committee on Organization of Courts.

Senate Bill No. 458 was introduced by Senator Haggard, entitled :

A bill for an act requiring the Custodian of Public Buildings and Property, having care of the State Capitol, to furnish rooms for the department of Indiana Grand Army of the Republic to be used as headquarters, for other matters in connection therewith and declaring an emergency.

Read the first time and referred to the Committee on Military Affairs.

Senator Kern by request introduced Senate Bill No. 459, entitled :

An act to repeal section 2187 of the Revised Statutes of 1881, concerning counseling amalgamation and affixing penalty therefor, the same being section 227 of chapter 5, concerning crimes and declaring an emergency.

Read the first time and referred to the Committee on Rights and Privileges.

Senator Kern by request introduced Senate Bill No. 460, entitled :

An act to repeal section 2136 of the Revised Statutes of 1881, concerning amalgamation, the same being section 226 of chapter 5, concerning crimes and declaring an emergency.

Read the first time and referred to the Committee on Rights and Privileges.

Senator Kern, by request, introduced Senate Bill No. 461, entitled :

An act to amend section 1, article 37, chapter 2, of the code of civil procedure concerning divorce, the same being section 1024 of the Revised Statutes of 1887, declaring certain marriages void, and declaring an emergency.

Read the first time and referred to the Committee on Rights and Privileges.



Senator Kern, by request, introduced Senate Bill No. 462 entitled:

An act to amend section 5325 of the Revised Statutes of 1881, the same being section 2 of chapter 81, concerning marriage, and declaring an emergency.

Read the first time and referred to the Committee on Rights and Privileges.

Senator Holler offered Senate Joint Resolution No. 5, as follows:

WHEREAS, The question of utilizing convict labor of the State of Indiana so that the production of the labor is not placed upon the common market when it comes in competition with free labor, is a question of much importance to the prosperity of free labor; and,

WHEREAS, The State of North Carolina and a number of the counties of the State of New York have successfully used convict labor for improving the public highways; therefore,

*Be it resolved*, That the Committee on Roads appoint two hold-over Senators, and the Lieutenant-Governor appoint one hold-over Senator. The three Senators to constitute a commission to correspond with the authorities of the different States that are now using convict labor on their highways, and learn the manner in which convicts are being used and the success obtained in employing them on the public highways, and to report at the next session of the General Assembly any desirable legislation whereby convicts can be successfully worked on our highways.

Read the first time and referred to the Committee on Prisons.

Senator Cranor presented three memorials, which were referred without reading to the Committee on Temperance.

Senator McHugh presented a petition, which was referred to the Committee on Temperance.

Senator McLean presented a petition, which was referred to the Committee on Temperance.

Senators Schneck, Self, Kerns and Houghton presented petitions, which were referred to the Committee on Temperance.

Senators Humphreys, McDonald and Phares presented petitions, which were referred to the Committee on Education.

Senators Collett and Mull presented petitions, which were referred to the Committee on Education.

Senator Houghton presented a petition, which was referred to the Committee on Elections.

Senator Houghton, Chairman of the Committee on Elections, made the following report:

MR. PRESIDENT:

Your Committee on Elections reports that it has allowed as expenses in the contest election case of *Adam Foust v. John W. Rinear* the sums hereinafter set out, and recommends the passage of the following resolution:

*Resolved*, That the Assistant Secretary of the Senate be, and he is hereby, directed to draw his warrants in favor of the following persons in the following sums, on account of the election contest of *Adam Foust v. John W. Rinear*, as follows:

INDIANAPOLIS, IND., }  
February 12, 1895. }

SENATE COMMITTEE ON ELECTIONS.

To John Heinrichs, to six days' service as official stenographer to committee, at \$5.00 per day.....	Dr.	\$30 00
To hotel bill and railroad fare.....		7 00
Total.....		\$37 00

To Adam Foust, contestor, for expenses as follows :

J. B. Kenner, attorney for contestor .....	\$100 00
N. K. Todd, securing evidence.....	85 00
W. H. Line, securing evidence .....	40 00
F. M. Hauff, securing evidence.....	25 00
Livery hire, railroad fare and hotel bills.....	45 00
Sheriff's fees.....	5 00
Total .....	<u>\$250 00</u>

To John W. Rinear, for expenses in contest, as follows :

For postage and telegraphy.....	\$3 70
Livery hire .....	10 00
Hotel bills.....	5 30
Car fare .....	3 00
Whitelook & Cook, attorney's fees.....	10 00
Simmons & Underwood, attorneys.....	25 00
Martin & Eicham.....	25 00
Dailey, Simmons & Dailey .....	25 00
Sheriff's fees in Huntington County.....	25 75
Sheriff's fees in Wells County .....	33 85
Lewis Mack, type writing.....	5 40
Total .....	<u>\$172 00</u>

To the following members of the Election Committee for mileage in taking evidence in said contest case, to wit:

J. J. M. LaFollette .....	\$50 00
W. E. McCord .....	50 00
R. F. Stuart.....	50 00
A. F. Wray.....	50 00
H Q Houghton .....	50 00
To D. M. Graves, Doorkeeper, expenses.....	15 00
Total .....	<u>\$265 00</u>

H. Q. HOUGHTON,  
Chairman.

Senator Parker moved to refer to the Committee on Finance.

The motion was lost.

Senator Wishard moved to postpone the further consideration until Monday at 2 o'clock P. M.

Which motion prevailed.

Senator Haggard moved to make House Bill No. 341 a special order for 3 o'clock Monday.

Which motion prevailed.

The consideration of Senate Bill No. 65, which was made a special order for this hour, was now taken up.

Senator Wray moved to substitute the minority report for the majority report.

Senators Wray and Holler demanded the ayes and noes.

Those voting in the affirmative were:

Senators Barnes, Bird, Cranor, Gifford, Holler, Houghton, Humphreys, McDonald, Mull, Parker, Seller, Shiveley, Stuart, Sweeney and Wray. Total, 15.

Those voting in the negative were:

Senators Alexander, Boord, Boyd, Collett, Crumpacker, Haggard, Johnston, Kern of Marion, McHugh, McLean, Manwaring, Phares, Self, White, Wishard and President *pro tem*. Newby.

So the motion was lost. A motion to concur in the majority report was also lost.

Senate Bill No. 153 was read the second time and ordered engrossed.

Senate Bill No. 202 was read the second time and ordered engrossed.

Engrossed House Bill No. 587 was read the second time.

Senator Seller offered the following amendment:

MR. PRESIDENT:

I move to amend House Bill No. 587 by adding to section 2 the following:

*Provided*, That no person shall be eligible to appointment as a regent under this act who has served as a Monument Commissioner within two years before its passage.

SELLER.

Senator Shiveley moved to reject the amendment.

Which motion prevailed.

The bill was then ordered to third reading.

House Bill No. 101 was read the second time and passed to the third reading.

Senate Bill No. 418 was read the second time and ordered engrossed.

Senate Bill No. 158 was read the second time.

Senator Kern offered the following amendment:

MR. PRESIDENT:

I move to amend section 1 of Substitute Senate Bill No. 158 by adding to said section the following:

*Provided*, That the provisions of this act shall not apply to counties having a population of more than one hundred thousand.

KERN.

Which amendment was adopted and the bill ordered engrossed.

Senate Bill No. 182 was read the second time and ordered engrossed.

Senate Bill No. 229 was read the second time and ordered engrossed.

Senate Bill No. 311 was read the second time and ordered engrossed.

Senate Bill No. 195 was read the second time and ordered engrossed.

Senate Bill No. 231 was read the second time and ordered engrossed.

Senate Bill No. 346 was read the second time and ordered engrossed.

Senator Boord moved to adjourn.

The motion was lost.

Senate Bill No. 267 was read a second time.

Senator Haggard offered Amendment No. 1, as follows :

MR. PRESIDENT :

I move to amend Senate Bill No. 267 by striking out all that part of the tenth subdivision of section one after the word "schools," in line 57 of the printed bill.

HAGGARD.

Which amendment was adopted and the bill ordered engrossed.

Senate Bill No. 292 was read the second time and ordered engrossed.

Senate Bill No. 251 was read the second time and ordered engrossed.

Senate Bill No. 223 was read the second time and ordered engrossed.

Senate Bill No. 395 was read the second time and ordered engrossed.

Senate Bill No. 331 was read the second time and ordered engrossed.

Senate Bill No. 344 was read the second time and ordered engrossed.

Senator Wishard presented a petition which was referred to the Committee on Temperance.

Senator Wishard presented a petition from the citizens of Greene County relative to the passage of the bill conferring upon the Governor power to interfere in the local affairs of the various counties.

Referred to the Committee on Mines and Mining.

Senate Bill No. 107 was read the second time and ordered engrossed.

Senate Bill No. 359 was read the second time and ordered engrossed.

Senate Bill No. 379 was read the second time and ordered engrossed.

The Committee on Judiciary made the following reports:

MR. PRESIDENT:

A majority of your Committee on Judiciary, to which was referred Senate Bill No. 421, introduced by Senator Kern, begs leave to report the same back to the Senate with the recommendation that the same do pass.

JOHN W. KERN,  
O. N. CRANOR,  
J. J. M. LAFOLLETTE,  
L. W. VAIL,  
SAMUEL PARKER.

MR. PRESIDENT:

A minority of your Committee on Judiciary, to which was referred Senate Bill No. 421, introduced by Senator Kern, begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

CHAS. E. SHIVELEY,  
L. P. NEWBY.

Senator Shiveley moved to substitute the minority for the majority report.

Which motion was lost.

The majority report was then concurred in.

Senate Bill No. 267 was read a second time.

Senator Haggard offered Amendment No. 1, as follows:

MR. PRESIDENT:

I move to amend Senate Bill No. 267 by striking out all that part of the tenth subdivision of section one after the word "schools," in line 57 of the printed bill.

HAGGARD.

Which amendment was adopted and the bill ordered engrossed.

Senate Bill No. 292 was read the second time and ordered engrossed.

Senate Bill No. 251 was read the second time and ordered engrossed.

Senate Bill No. 223 was read the second time and ordered engrossed.

Senate Bill No. 395 was read the second time and ordered engrossed.

Senate Bill No. 331 was read the second time and ordered engrossed.

Senate Bill No. 344 was read the second time and ordered engrossed.

Senator Wishard presented a petition which was referred to the Committee on Temperance.

Senator Wishard presented a petition from the citizens of Greene County relative to the passage of the bill conferring upon the Governor power to interfere in the local affairs of the various counties.

Referred to the Committee on Mines and Mining.



Senate Bill No. 107 was read the second time and ordered engrossed.

Senate Bill No. 359 was read the second time and ordered engrossed.

Senate Bill No. 379 was read the second time and ordered engrossed.

The Committee on Judiciary made the following reports:

MR. PRESIDENT:

A majority of your Committee on Judiciary, to which was referred Senate Bill No. 421, introduced by Senator Kern, begs leave to report the same back to the Senate with the recommendation that the same do pass.

JOHN W. KERN,  
O. N. CRANOR,  
J. J. M. LaFOLLETTE,  
L. W. VAIL,  
SAMUEL PARKER.

MR. PRESIDENT:

A minority of your Committee on Judiciary, to which was referred Senate Bill No. 421, introduced by Senator Kern, begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

CHAS. E. SHIVELEY,  
L. P. NEWBY.

Senator Shiveley moved to substitute the minority for the majority report.

Which motion was lost.

The majority report was then concurred in.

Senator Bethell, Chairman of the Committee on Public Health, Vital and Other Statistics, made the following report:

MR. PRESIDENT :

Your Committee on Public Health, Vital and Other Statistics, to which was referred Senate Bill No. 410, introduced by Senator Wishard, begs leave to report the same back to the Senate with the recommendation that the bill do pass.

W. J. BETHELL,  
Chairman.

The report was concurred in.

Senate Bill No. 178 was read the second time and ordered engrossed.

Senator Seller moved to reconsider the engrossment of Engrossed House Bill No. 97.

Which motion prevailed.

Senator Kern withdrew Amendment No. 1, and offered the following as a substitute :

MR. PRESIDENT :

I move to amend section 1 of House Bill No. 97 by adding thereto the following words :

*Provided*, That the provisions of this act shall not apply to railroad or marine insurance.

KERN.

Which substitute was adopted.

The bill as amended was ordered engrossed.

Substitute Senate Bill No. 117 was read the second time and ordered engrossed.

Senator Stuart introduced Senate Bill No. 463, entitled :

A bill for an act to amend section 10 of an act entitled "An act for the prevention of frauds and perjuries, and requiring certain contracts to be in writing and declaring certain conveyances, assignments, contracts and mortgages void," approved June 9, 1852, the same being section 4,913 of the Revised Statutes of 1881.

Read the first time and referred to the Committee on Judiciary.

Senate Bill No. 225 was read the second time and ordered engrossed.

On motion of Senator Parker the Senate adjourned.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.

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### MONDAY MORNING.

FEBRUARY 25, 1895.

The Senate convened at 10 o'clock A. M. with Lieutenant-Governor Nye in the Chair.

After a portion of the Journal had been read, on motion of Senator Haggard the further reading of the same was dispensed with.

Senators Alexander and Holler presented petitions which were referred to the Committee on Agriculture.

Senators Barnes, Leyden, Manwaring, Newby and Self presented petitions which were referred to the Committee on Temperance.

Senator Bozeman introduced Senate Bill No. 464, entitled :

A bill for an act entitled an act concerning the Savings' Assurance Society, and declaring an emergency.

Read the first time and referred to the Committee on Banks.

Senator Cranor presented a petition which was referred to the Committee on Corporations.

Senator Humphreys presented a petition which was referred to the Committee on Military Affairs.

Senator McDonald presented a marked copy of the Indianapolis Journal which was referred to the Committee on Benevolent Institutions.

Senator McManus presented a petition which was referred to the Committee on Judiciary.

Senator Newby presented a petition which was referred to the Committee on Education.

Senator Newby, Chairman of the Committee on Judiciary, made the following reports :

MR. PRESIDENT:

A majority of your Committee on Judiciary, to which was referred Senate Bill No. 333, introduced by Senator Parker, begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

**MR. PRESIDENT:**

A minority of your Committee on Judiciary, to which was referred Senate Bill No. 838, introduced by Senator Parker, begs leave to report the same back to the Senate, with the recommendation that said bill be amended by striking out the words "five thousand" in line one (1) of section 4, and the words "twenty-five hundred" be inserted in lieu thereof, and that when said bill is so amended that the same do pass.

**SAMUEL PARKER.**

Senator Parker moved that the bill, with both reports, be printed.

Which motion prevailed.

Senator Duncan, Chairman of the Committee on Education, made the following report:

**MR. PRESIDENT:**

Your Committee on Education, to which was referred Senate Bill No. 441, introduced by Senator Houghton, begs leave to report the same back to the Senate, with the recommendation that the bill be indefinitely postponed.

**H. C. DUNCAN,**

**Chairman.**

Which report was concurred in.

Senator Duncan, Chairman of the Committee on Education, made the following report:

**MR. PRESIDENT:**

Your Committee on Education, to which was referred Senate Bill No. 398, introduced by Senator McCutchan, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

**H. C. DUNCAN,**

**Chairman.**

Which report was concurred in.

The Committee on Education made the following reports :

MR. PRESIDENT :

A majority of your Committee on Education, to which was referred Engrossed House Bill No. 163, introduced by Mr. Harris, begs leave to report the same back to the Senate, with the recommendation that Senate Bill No. 311 be substituted, and when so substituted, that the same do pass.

H. C. DUNCAN,  
Chairman.

MR. PRESIDENT :

A minority of your Committee on Education, to which was referred Engrossed House Bill No. 163, introduced by Mr. Harris, begs leave to report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

GEO. H. GIFFORD,  
WM. E. McLEAN.

The question being, Shall the minority report be substituted for the majority report?

The question was lost.

The majority report was then concurred in.

The Committee on Mileage made the following report :

MR. PRESIDENT :

Your Committee on Mileage report that Senator A. C. Manwaring, elected to fill the vacancy of the late Senator Thayer, has traveled 280 miles and is entitled to \$56 therefor, and that the Assistant Secretary is hereby authorized to draw his warrant for said account.

FRED BOORD,  
R. F. STEWART,  
WM. C. McLEAN.

Which report was concurred in.

Senator Collett, Chairman of the Committee on County and Township Affairs, made the following report :

MR. PRESIDENT :

Your Committee on County and Township Affairs, to which was referred Senate Bill No. 341, introduced by Senator Baker, begs leave to report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

M. W. COLLETT,  
Chairman.

Which report was concurred in.

Senator Collett, Chairman of the Committee on County and Township Affairs, made the following report :

MR. PRESIDENT :

Your Committee on County and Township Affairs, to which was referred Senate Bill No. 414, introduced by Senator Self, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

M. W. COLLETT,  
Chairman.

The report was concurred in.

Senator Collett, Chairman of the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

Your Committee on County and Township Business, to which was referred Senate Bill No. 415, introduced by Senator Phares, begs leave to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

M. W. COLLETT,  
Chairman.

Which report was concurred in.

Senator Bethell, Chairman of the Committee on Public Health, Vital and Other Statistics, made the following report:

MR. PRESIDENT:

Your Committee on Public Health, Vital and Other Statistics, to which was referred Senate Bill No. 376, introduced by Senator Duncan, begs leave to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

W. J. BETHELL,  
Chairman.

Which report was concurred in.

Senator Bethell, Chairman of the Committee on Public Health, Vital and Other Statistics, made the following report:

MR. PRESIDENT:

Your Committee on Public Health, Vital and Other Statistics, to which was referred Senate Bill No. 80, introduced by Senator Crumpacker, begs leave to report the same back to the Senate with the recommendation that the following bill, as a substitute for Senate Bill No. 80, do pass.

W. J. BETHELL,  
Chairman.

Which report was concurred in.

Substitute for Senate Bill No. 80:

An act to protect the people of Indiana in the sale of poisons and the compounding of medicines by ignorant persons.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That it shall be unlawful for any person not a registered pharmacist, within the meaning of this act, to open or conduct any pharmacy or retail drug store, as proprietor thereof, unless he shall have in his employ and place in charge of such pharmacy or drug store a registered pharmacist, who shall have the supervision and management of that part of the business requiring pharmaceutical skill and knowledge; or to engage in the occupation of compounding or dispensing medicines, prescriptions of physicians, or of selling at retail any drugs, chemicals, poisons or pharmaceutical preparations



within this State, until he has complied with the provisions of this act: *Provided*, That nothing in this act shall apply to, or in any manner interfere with, the business of any physician, or prevent him from supplying to his patients such medicines as may seem to him proper.

SEC. 2. The Indiana Pharmaceutical Association shall, immediately upon the passage of this act, submit to the Governor the names of ten persons, residents of the State, who have had at least ten years' experience as pharmacists and druggists, and from these names, or others, the Governor shall select and appoint five persons, who shall constitute a Board to be styled, "The Indiana Board of Pharmacy;" and any member of the Board may be removed by the Governor for good cause shown him; one member of said Board shall be appointed and hold office for one year, one for two years, one for three years, one for four years, and one for five years, and each until his successor is appointed and qualified. At its regular annual meeting in every year thereafter the Indiana Pharmaceutical Association shall select and submit to the Governor the names of five persons with the qualifications hereinbefore mentioned, and the Governor shall select and appoint from the names so submitted, or others, one member of said Board, who shall hold his office for five years, and until his successor shall have been appointed and qualified. Any vacancy that may occur in said Board shall be filled for the unexpired term by the Governor. Each member of said Board shall, within ten days after his appointment, take and subscribe an oath or affirmation, before a competent officer, to faithfully and impartially perform the duties of said office.

SEC. 3. Such Board shall, within thirty days of the appointment of its members, organize by the election of a President and Secretary from its members, who shall hold their office for one year and perform such duties as may be prescribed by the Board. The Board shall adopt such rules and regulations as it may deem necessary to carry out the provisions of this act. It shall examine all applicants for registration filed with it under the provisions of this act, grant certificates of registration to such persons as may be entitled to the same, cause the prosecution of all persons violating any of the provisions of this act, report annually on the first Monday in December of each

year to the Governor upon the condition of pharmacy in the State, and the action of the Board, together with the names of all pharmacists and assistant pharmacists registered under this act. The Board shall hold meetings at least three times a year, notice of which shall be published thirty days previous to such meetings in at least four newspapers of general circulation published in the State, and at such meetings said Board shall examine applicants for registration, and transact any other business pertaining to its duties. The Board shall keep a book of registration, and shall file a duplicate thereof, and all additions thereto, in the office of the Secretary of State, which shall contain the names and places of residence of all persons to whom certificates have been issued, together with the dates of issue. Such book shall succinctly state the facts set out by any person to justify his claim to registration and certificate. Three members of the Board shall constitute a quorum.

SEC. 4. The Board shall, in proper cases, as provided for in this act, issue certificates entitling the persons named therein to act in this State for one year from such issue, as pharmacists or assistant pharmacists. And if, after the expiration of three months after this act takes effect, any person not holding a certificate from this Board entitling him to act as such pharmacist or assistant pharmacist, shall sell at retail, or compound or dispense drugs, medicines or poisons, or compound or dispense prescriptions; or if any person not holding such certificate shall, after this act takes effect, open or conduct a drug store or pharmacy for the sale at retail of drugs, medicines, or poisons, or the compounding of prescriptions, without placing in charge thereof a properly qualified pharmacist; or if any properly qualified pharmacist having such store or pharmacy, or being in charge and care thereof, shall permit the sale of drugs and medicines, or the compounding and dispensing of physicians' prescriptions, except under the personal supervision of or by a properly qualified pharmacist or assistant pharmacist, such person or persons shall be deemed guilty of a misdemeanor, and upon the conviction thereof shall be fined not less than five nor more than fifty dollars. And any person not being or having in his employ, a pharmacist or assistant pharmacist properly qualified within the meaning of this act, who shall use or exhibit a certificate as pharmacist or assistant phar-

macist, shall for each and every such offense be fined not less than ten nor more than fifty dollars.

SEC. 5. The said Board shall grant and issue certificates to applicants, authorizing the persons named therein to act as pharmacists, who shall have passed a satisfactory examination before the Board, or who, at the coming into effect of this act, are keeping open shop in this State for the retailing of drugs and medicines and the compounding and dispensing of prescriptions, but no such certificate shall be issued to any person under twenty-one years of age. Certificates shall be granted and issued to applicants, authorizing them to act as assistant pharmacists, who are not less than eighteen years of age and have served three years next preceding the passage of this act in a shop or shops where the prescriptions of medical practitioners are compounded, and certificates shall be granted and issued to applicants authorizing them to act as pharmacists, who, at the taking effect of this act, are not less than twenty-one years of age, and have served not less than four years immediately prior to the taking effect of this act, in a store or pharmacy where physicians' prescriptions are compounded, providing all such persons shall, within ninety days after the organization of said Board, make application thereto for registration, or have passed a satisfactory examination before such Board. It shall be the duty of every pharmacist and assistant pharmacist to conspicuously expose in the place of his business, his certificate of registration. All such certificates shall be renewed and reissued by the Board, annually, not later than January 20, of each year, upon application of the holder thereof, if he shall still be engaged in the practice of pharmacy. The Board may, in its discretion, recognize the certificates issued by Boards of Pharmacy of other States, but such recognition shall be given only to the certificates of Boards who recognize the certificates of the Indiana Board, and whose examinations are fully as complete as those of the Indiana Board. The Board shall adopt rules to govern all such cases. The Board, through its Secretary, shall tax and collect a fee of one dollar for each certificate issued by the Board, whether such certificate be original or annual, or whether authorizing one to act as pharmacist or assistant pharmacist; the fees so collected, the said Secretary of the Board shall at the end of

each month turn over to the Treasurer of the State of Indiana, who shall give a receipt therefor; and said Treasurer of State shall keep said fees in a separate fund, to be known as the pharmacy fund.

SEC. 6. The Secretary of the Board shall receive a salary of \$1,200 per annum, together with necessary expenses, incurred in the performance of his duty. The other members of the Board shall be paid five dollars per day for each day actually engaged in the service, together with necessary expenses incurred in attending meetings of the Board, all of which shall be paid out of the pharmacy fund not otherwise appropriated.

SEC. 7. Any person violating the provisions of section five relating to registration, renewal of registration or failing to conspicuously expose such certificate of registration, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding one hundred dollars nor less than ten dollars for each week he continues to carry on or to be engaged in such business without registration, and for the violation of any of the provisions of section one, such person shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding fifty dollars nor less than one dollar for each and every offense, all fines assessed for the violation of any of the provisions of this act shall be placed in the county treasury for the use and benefit of the common school fund of the county in which such offense is committed.

SEC. 8. No person shall add to or remove from any drug, medicine, chemical, or pharmaceutical preparation any ingredient or material for the purpose of adulteration or substitution, which shall deteriorate the quality, commercial value or medicinal effect, or which shall alter the nature or composition of such drug, medicine, chemical or pharmaceutical preparation, so that it will not correspond to the recognized tests of identity or purity. Any person who shall thus adulterate or alter, or cause to be adulterated or altered, or shall sell or offer for sale any such adulterated or altered drug, medicine, chemical or pharmaceutical preparation; or any person who shall substitute, or cause to be substituted, one material for another, shall be guilty of a misdemeanor, and be liable to prosecution under this act. If convicted, he shall be liable to

all the costs of the action and all expenses incurred by the Board of Pharmacy in connection therewith, and for the first offense be liable to a fine of not less than fifty dollars nor more than one hundred dollars, and for each subsequent offense a fine of not less than seventy-five dollars nor more than one hundred and fifty dollars. On complaint being entered, the Board of Pharmacy is hereby empowered to employ the State Chemist, at the agricultural station at Purdue University at Lafayette, Ind., whose duty it shall be to examine into the so-called adulteration, substitution or alteration, and report upon the result of his investigation; and if said report justify such action, the Board shall duly cause the prosecution of the offender as provided by this law.

SEC. 9. No person shall sell at retail any poisons commonly recognized as such, and especially aconite, argenic, belladonna, biniodide of mercury, carbolic acid, chloral hydrate, chloroform, conium, corrosive sublimate, creosote, croton oil, cyanide of potassium, digitalis, hydrocyanic acid, laudanum, morphine, nux vomica, oil of bitter almonds, opium, oxalic acid, strychnine, sugar of lead, sulphate of zinc, white precipitate, red precipitate, without affixing to the box, bottle, vessel or package containing the same, and to the wrapper or cover thereof, a red-colored label on which in black letters shall be the name of the article, and the word "poison" distinctly shown and the antidotes therefor, with the name and place of business of the seller, who shall not deliver any of said poisons to any person under the age of fifteen years, nor shall he deliver any of said poisons to any person without satisfying himself that such poison is to be used for legitimate purposes: *Provided, That* nothing herein contained shall apply to the dispensing in physicians' prescriptions of any of the poisons or articles aforesaid. Any person failing to comply with the requirements of this section shall be liable to a penalty of five dollars for each and every such offense.

SEC. 10. This act and all the provisions thereof shall apply to all county seats and to towns and cities containing over 1,500 inhabitants.

SEC. 11. All suits for the recovery of the several penalties prescribed in this act shall be prosecuted in the name of the people of the State of Indiana in any court having jurisdiction, and it shall be the duty of the Prosecuting Attorney of the county where such offense is committed, to prosecute all persons violating the provisions of this act, upon proper complaint being made to him.

SEC. 12. All acts and parts of acts in conflict with the provisions of this act are hereby repealed. This act shall take effect and be in force from and after its passage.

Senator Bethell, Chairman of the Committee on Public Health, Vital and Other Statistics, made the following report:

MR. PRESIDENT:

Your Committee on Public Health, Vital and Other Statistics, to which was referred Senate Bill No. 201, introduced by Senator LaFollette, begs leave to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

W. J. BETHELL,

Chairman.

The report was concurred in.

Senator Bethell, Chairman of the Committee on Public Health, Vital and Other Statistics, made the following report:

MR. PRESIDENT:

Your Committee on Public Health, Vital and Other Statistics, to which was referred Senate Bill No. 429, introduced by Senator Kern, begs leave to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

W. J. BETHELL,

Chairman.

The report was not concurred in.

Senator Bethell, Chairman of the Committee on Public Health, Vital and Other Statistics, made the following report:

MR. PRESIDENT:

Your Committee on Public Health, Vital and Other Statistics, to which was referred Senate Bill No. 189, introduced by Senator Phares, begs leave to report the same back to the Senate, with the recommendation that section one be amended by striking out the words "father and mother" and substituting the words "midwife" and "relative;" also striking out the word "six" and substituting the word "twenty-four." That section two be amended by striking out all words after "one hundred dollars," and when so amended the bill do pass.

W. J. BETHELL,  
Chairman.

Which report was concurred in.

The Committee on Claims made the following reports:

MR. PRESIDENT:

A majority of your Committee on Claims, to which was referred Senate Bill No. 139, introduced by Senator Wishard, begs leave to report that the same be indefinitely postponed.

W. H. WATSON,  
Chairman.

MR. PRESIDENT:

A minority of your Committee on Claims, to which was referred Senate Bill No. 139, introduced by Senator Wishard, begs leave to report that they have had the same under consideration and recommend that the bill do pass.

BARNES,  
SELLER.

The question being, Shall the minority report be substituted for the majority report?

It was so ordered.

Senator McCutchan, Chairman of the Committee on Military Affairs, made the following report :

MR. PRESIDENT :

Your Committee on Military Affairs, to which was referred joint resolution for return of flag to Captain Robert R. Stewart, concur in the resolution.

A. J. McCUTCHAN,  
Chairman.

Which report was concurred in.

Senator Crumpacker, Chairman of the Committee on Railroads, submitted the following report :

MR. PRESIDENT :

Your Committee on Railroads, to which was referred Senate Bill No. 31, introduced by Senator Bozeman, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

CRUMPACKER.

The report was concurred in.

Senator Wishard, Chairman of the Committee on Legislative Apportionment, made the following report :

MR. PRESIDENT :

Your Committee on Legislative Apportionment, to which was referred Senate Bill No. 294, introduced by Senator O'Brien, respectfully report that they have had the same under consideration, and recommend the bill do pass.

Respectfully submitted,

A. W. WISHARD,  
Chairman.

Which report was concurred in.



The Committee on Legislative Apportionment made the following reports:

MR. PRESIDENT:

The majority of your Committee on Legislative Apportionment, to which was referred Engrossed House Bill No. 156, introduced by Representative Newhouse, respectfully report that they have had the same under consideration, and report the same back with the recommendation that the same do pass.

Respectfully submitted,

ALBERT W. WISHARD,  
W. J. BETHELL,  
O. A. BAKER,  
H. HOUGHTON,  
J. W. CRUMPACKER,  
JAMES O'BRIEN,  
W. H. GOSTLIN,  
CHAS. E. SHIVELEY.

MR. PRESIDENT:

We, the undersigned, a minority of your Committee on Legislative Apportionment, to whom was referred House Bill No. 156, introduced by Representative Newhouse, being a bill for an act to repeal an act entitled: "An act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana and to apportion the same among the several counties of the State, and to repeal all laws in conflict therewith, approved March 4, 1893, and declaring an emergency," have had the same under consideration, and respectfully report that in their judgment the said bill ought to be indefinitely postponed for the reasons following, to wit: Under the said reapportionment of the act of March 4, 1893, twenty-five Senators hold their seats upon this floor, and the entire membership of the House of Representatives have their title to their seats under the same act.

The minority of your committee believe that the repeal of the act of March 4, 1893, will leave the State of Indiana without any legal and constitutional apportionment act under which the Legislature can be elected in 1896. Your committee are satisfied that under the plain letter of the Constitution no

apportionment bill of any kind can be passed at the present session of the General Assembly; and hence there would be no law upon the statute book if said act were repealed under the provisions of which the Legislature of 1896 could be elected. Your committee find that the Constitution of this State provides, after first providing for the enumeration of all male inhabitants over twenty-one years every six years, that the number of Senators and Representatives shall at the session next following each period of enumeration, be fixed by law and apportioned among the counties according to the number of male inhabitants above twenty-one years of age in each, and that the apportionment made of Senators and Representatives by the reapportionment act of 1893 among several counties is a legal and constitutional measure, enacted at the proper time, and has been declared so by a proper tribunal in the State, which has had the adjudication of legality of said act. That under the plain requirement of the Constitution requiring a legislative apportionment not oftener than once every six years for apportionment for legislative purposes, no such apportionment bill can be passed by this General Assembly at this present session; the year of 1897 being the year when the present apportionment law for legislative purposes expires by constitutional limitation; and we further believe that any act of this Legislature seeking to apportion the State for Senatorial and Representative purposes during the present session would be held by the courts to be illegal, unconstitutional and void; and we desire to enter our protest against any such measure and we ask that this our solemn protest against the passage of this bill be entered upon the Journal of this Senate.

WM. E. McLEAN.  
S. R. McKELVEY,  
I. P. LEYDEN,  
C. JOHNSTON.

The question being, Shall the minority report be substituted for the majority report?

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Barnes, Bird, Gifford, Humphreys, Johnston, Kern, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Wray. Total, 17.

Those voting in the negative were :

Senators Baker, Bethell, Boord, Bozeman, Collett, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, McCord, McCutchan, Manwaring, Mull, Newby, O'Brien, Phares, Self, Shiveley, Watson, Wishard. Total, 22.

So the minority report was not substituted for the majority report.

The majority report was thus concurred in.

The Committee on Legislative Apportionment made the following reports :

MR. PRESIDENT :

The majority of your Committee on Legislative Apportionment, to which was referred Engrossed House Bill No. 157, introduced by Representative Newhouse, respectfully report that they have had the same under consideration and report the same back to the Senate, with the recommendation that the bill do pass.

Respectfully submitted,

ALBERT W. WISHARD,  
W. J. BETHELL,  
O. A. BAKER,  
H. Q. HOUGHTON,  
J. W. CRUMPACKER,  
JAMES O'BRIEN,  
W. H. GOSTLIN,  
CHAS. E. SHIVELEY.

MR. PRESIDENT :

The minority of your Committee on Legislative Apportionment, to which was referred House Bill No. 157, introduced by Representative Newhouse, have had the same under consideration, and we respectfully recommend that the said bill be indefinitely postponed for the reasons following, to wit :

The fourth section of article fourth of the Constitution of the State of Indiana provides that the General Assembly, at its second session after the adoption of this Constitution and every sixth year thereafter, cause an enumeration to be made of all male inhabitants over the age of twenty-one years.

The fifth section provides that the number of Senators and Representatives shall at the session next following each period of making such enumeration be fixed by law, and apportionment made among the several counties according to the number of male inhabitants above the age of twenty-one years in each.

The minority of your committee would report that in 1889 such enumeration as provided in the Constitution was made in this State, which enumeration is the last one made as is thus provided. The minority of your committee would respectfully report that such enumeration having been made, the Legislature in 1891, passed an act apportioning the various counties of this State for legislative purposes, which was properly passed and became a law. Subsequently, in consequence of a decision of the Supreme Court in our State in the case of *Parker v. The State*, decided in 188 Indiana, or rather in consequence of opinions advanced by certain Judges of said Court in pronouncing the opinion of said Court in said case, declaring that said act of 1891 was unconstitutional and void, the General Assembly of 1893 reapportioned the State by the act approved March 4, 1893, which said act is in full force and operation. The minority of your committee are satisfied that under the plain letter of the Constitution no apportionment bill of any kind can be legally enacted during the present session of the General Assembly; that any such apportionment bill would be set aside and declared inoperative and void by the highest court of the State; that no legal and constitutional enactment seeking the apportioning of the several counties of the State for senatorial and representative purposes, can be enacted prior to the session of the General Assembly in 1897.

For these reasons the minority of your Committee on Legislative Apportionment recommend that this bill be indefinitely postponed; and they further desire to enter their protest against the passage of the said bill.

Respectfully submitted,

WM. E. McLEAN,  
I. P. LEYDEN,  
S. B. McKELVEY,  
C. JOHNSTON.

The question being, Shall the minority report be substituted for the majority?

Those voting in the affirmative were:

Senators Alexander, Barnes, Bird, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Sweeney, Wray. Total, 17.

Those voting in the negative were:

Senators Baker, Bethell, Boord, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, LaFollette, McCord, McCutchan, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Self, Shiveley, Vail, Watson, Wishard. Total, 26.

So the minority report was not substituted.

The majority report was then concurred in.

By agreement, the consideration of Engrossed House Bill No. 156 was made a special order for Wednesday morning at 11 o'clock.

By agreement, the consideration of Engrossed House Bill No. 157 was made a special order for Wednesday afternoon at 2 o'clock.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred House Bill No. 285, introduced by Mr. C. G. Lohman, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred House Concurrent Resolution No. 7, introduced by Mr. Stotsenburg, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred House Bill No. 167, introduced by Mr. Dinwiddie, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

The report was concurred in.

The Committee on Judiciary made the following reports :

MR. PRESIDENT :

A majority of your Committee on Judiciary, to which was referred Senate Bill No. 445, introduced by Senator Newby, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

MR. PRESIDENT :

A minority of your Committee on Judiciary, to which was referred Senate Bill No. 445, introduced by Senator Newby, begs leave to report the same back to the Senate with the recommendation that further consideration of said bill be indefinitely postponed.

J. W. KERN,  
SAMUEL PARKER.

The question being, Shall the minority report be substituted for the majority report?

The question was lost.

The majority report was then concurred in.

Senator Kerns, Chairman of the Committee on Roads, submitted the following report:

MR. PRESIDENT:

Your Committee on Roads, to which was referred House Bill No. 289, introduced by Mr. Bobilya, begs leave to report the same back to the Senate with the recommendation that the bill do pass.

W. F. KERNS,  
Chairman.

Which report was concurred in.

The Committee on the Affairs of the City of Indianapolis made the following reports:

MR. PRESIDENT:

The undersigned, the majority of your Committee on the Affairs of the City of Indianapolis, to which was referred Senate Bill No. 40, introduced by Senator McHugh, has had the same under consideration and begs leave to submit the majority report:

There are two propositions embodied in this bill:

*First.* That Street Railway Companies in cities of more than 100,000 inhabitants shall hereafter, when the streets occupied by them are ordered to be improved, pay their share of the cost of such improvement, that is, the cost of improving between their tracks and a space of two feet on either side thereof.

*Second.* That such companies may be required by the Board of Public Works to make such improvement on all streets heretofore improved in such city, where the space between the tracks and for two feet on either side thereof remains unimproved.

As will be readily observed, this bill effects only the city of Indianapolis, and at present will only apply to the Citizens' Street Railway Company of that city, that company having a monopoly of its streets.

This monopoly has long been enjoyed by this company. It has taken possession of all the streets of the city desired by it, and is maintaining its single and double tracks in every part of the municipality, and its suburbs, for which valuable privilege it has never paid to the city a single dollar.

The citizens and the tax-payers of Indianapolis deem it unfair, and inequitable that the owners of property abutting these streets should be compelled to pay for the improvement of that part of the same, which has been appropriated by this corporation, and used by it, for its own profit, to the exclusion of all others.

Yet, under existing laws, they must bear this expense, or suffer that portion of the streets to remain unimproved—an unsightly strip of mud, from ten to sixteen feet in width, in the middle of beautifully paved thoroughfares.

This corporation, thus highly favored, after the enjoyment of this monopoly for all these years without price, until its market value approaches five millions of dollars, insists that to require it to keep improved that part of the public thoroughfares actually occupied by it, without a cent of rental, is to place upon it an unjust and onerous burden.

With a boast, in one breath, that it represents the largest aggregation of capital ever invested in Marion County, in the next it pleads the inability to make these improvements on account of poverty.

The plea of poverty has not, as far as we have observed, ever availed the small property holder who earns his bread by daily toil, who protests against being required to pay for a costly asphalt pavement which, in the march of progress, was about to be laid in front of his lot. Though it involved to the poor great sacrifices, the work of improvement went on. The present attitude of this great corporation on this question, is in striking contrast to the spirit shown by the laboring men and women at Indianapolis, owning their own small homes, and cheerfully paying their full share of these burdens, never attempting to dodge full payment, much less seeking to place a part of their just burden upon a neighbor.

It is agreed that the contract, or charter, under which this company is acting, will not expire until the year 1901. The company claims rights beyond that period.



The question as to its property rights at that time—that is, as to how it shall be compensated then for its tracks and other equipments—is one which the equity courts will then determine. But in the meantime the streets of the city must be improved and the question is, Shall this company, so long favored and so greatly enriched, escape all liability for the same, and thereby add to the burdens of a people already over-taxed and assessed up to the limit of endurance? In all justice and fairness, this bill as an entirety should become a law, but in view of the fact that the contract will in all probability expire in the year 1901, and that the question of its rights beyond that time are in litigation, we have concluded that it might be regarded in some quarters as unfair to put it in the power of the city authorities to compel this company to improve between its tracks all the streets heretofore improved by the abutting property-owners, and that therefore section 3 should be stricken from the bill.

We submit, however, that in view of the great privilege heretofore and now enjoyed by said company without cost to it, no valid reason can be given why in the future improvement of streets it shall not bear its full and equitable share of the expense.

We therefore recommend that said bill be amended by striking out section 3 thereof, and that when so amended the same should pass.

Respectfully submitted,

JOHN W. KERN,  
JAMES McHUGH,  
R. F. STUART.

MR. PRESIDENT:

The undersigned, a member of your Committee on the Affairs of the City of Indianapolis, to which was referred Senate Bill No. 40, introduced by Senator McHugh, respectfully submits the following minority report, viz.:

*First.* By striking out that part of section 2 of said bill, on page 7, line 2, commencing with the words "and the space" and ending with the word "switches," in line 5, page 7.

*Second.* By striking out that part of section 8 of said bill, on page 15, line 4, commencing with the words "and the space" and ending with the word "switches," in line 8 of said page 15.

*Third.* By striking out all of section 4 of said bill.

*Fourth.* By substituting for said section 4 the following :

**SEC. 4.** This act shall not be construed to in anywise limit, abridge, extend nor enlarge any contract held by any street railway or railroad company with any city in this State, nor shall it be construed to in any way change or alter such contract so as to impose any additional obligation upon such company than those contained in the contract with the city and under which such company is operating.

*Fifth.* By adding additional sections to said bill, as follows:

**SEC. 5.** If, during the existence or at the termination of the charter of any company now operating or conducting any street railway or railroad in any city in this State, such company or its property shall pass under the control of any court of equity, it shall be the duty of such court in administering upon the assets of such company to cause an appraisement to be had of all street improvements made by such company under the provisions of this act, and if the property or assets of such company shall be sold under the orders of such court, the interest it may possess in such street improvements shall be disposed of under the orders of such court in like manner as the other assets of such company.

**SEC. 6.** Whenever any company operating any street railway or railroad in any city in this State shall, under the orders of the Common Council or Board of Public Works of such city, be required to make the street improvements contemplated by this act, such street railway or street railroad company shall be entitled to avail itself of the provisions of sections 76, 79 and 81 of an act entitled "An act concerning the incorporation and government of cities having more than one hundred thousand population according to the last preceding United States census, and matters connected therewith, and declaring an emergency," approved March 6, 1891.

**SEC. 7.** Whenever any street railway or railroad company in any city of this State shall be ordered by the Common

Council or Board of Public Works of such city to construct the improvements contemplated by this act, such company shall not be required to expend a sum in excess of sixty thousand dollars (\$60,000) in any one year, unless by contract made by such company with such Common Council or Board of Public Works such company shall agree to pay for street improvements in any one year a sum that shall in the aggregate exceed sixty thousand dollars (\$60,000).

The bill introduced by Senator McHugh is a copy of a similar bill pending before the Legislature two years ago. At that time over eighty per cent. of the mileage of the Citizens' Street Railroad Company in Indianapolis, the only company that would be effected by the bill, was operated with mule cars; at the present time practically all of the system is operated by electricity. The conditions are entirely different now from what they were at that time, as respects the position of the city of Indianapolis and the company. At that time Senator McHugh and myself favored the passage of the bill and Senators Kern and Stuart opposed it. At that time the Citizens' Company had the undisputed right to the use and occupancy of the streets and was furnishing very poor service to the citizens of Indianapolis. The service now furnished by the company is as good as that in any city, and the company has spent several hundred thousand dollars in the better equipment of its property.

The statement made in one of the reports on this bill, to the effect that, "It is agreed that the contract, or charter, under which this company is acting, will not expire until the year 1901," is not true. The city of Indianapolis now has an action pending in the Circuit Court of Hamilton County, at Noblesville, to eject the company from the streets of the city of Indianapolis. At the present time, the city of Indianapolis, the Citizens' Street Railroad Company and the City Street Railway Company are litigating over the question of what company is entitled to the use and occupancy of the streets of the city of Indianapolis.

Under the city charter, the city government is fully empowered to make all contracts relative to street improvements to be made by street railway or railroad companies.

Two propositions present themselves :

*First.* That the Citizens' Company, if it has any rights at all, is operating under a contract made with the city and that does not in any event expire until 1901. That contract, if good for one purpose, is good for all, and under it the city could not impose the conditions sought to be imposed by this act.

*Second.* As the city of Indianapolis is now contesting the right of the Citizens' Company to the use and occupancy of the streets, if this act is passed and enforced, and the company is compelled by law to make the improvements contemplated by the act, will it not as a result establish the claim of perpetuity of the Citizens' Company to the streets of the city, subject only to legislative enactments in imposing additional conditions under which the company shall operate?

The lines of the Citizens' Company in Indianapolis reach over a large amount of territory, and the proportion of people patronizing its service is very much smaller than in many of the larger cities. To my mind, the principal thing that will be of advantage to the people of the city of Indianapolis in general will be cheaper fares. It is a matter of common opinion that this is more important than the question of street improvement, which is solely to the advantage of the property owners of property along the line of the tracks.

The complicated condition in which the affairs of the city of Indianapolis and the Street Car Companies are now involved is such that a reduction of fares can not well be secured, and if street paving is imposed it will, without doubt, prevent a reduction in the price of fares that ought to and would be made when the litigation is determined.

The principal newspapers of the city of Indianapolis have all expressed themselves upon the impropriety of the Legislature in any way passing any act that would further involve the affairs of the city and the Street Car Company, until the Courts shall have determined the matter.

The Indianapolis Journal, February 4, 1895, said editorially, among other things: "It is very questionable whether, pending the final decision of the suit involving the operating of the Citizens' Street Railroad Company's franchise, the

Legislature ought to enact any measure imposing new burdens and obligations on the company." Also: "As the decision will affect so materially the status and resources of the company, it would seem but just that it should not be subjected to new and heavy burdens until the outcome of the pending litigation is known." Also: "The whole question is in so uncertain a condition that," in the opinion of the Journal, "legislation on the subject should be postponed."

The Indianapolis Sentinel also said editorially, on February 4, 1895, among other things: "It ought to be reasonably apparent to the members of the Legislature by this time that they should fight shy of legislation concerning street-car affairs and the city of Indianapolis, and that if they enact anything at all on that subject they should act most carefully and have none that could possibly affect the pending litigation." Also: "The Sentinel can not be accused of any liking for the Citizens' Company, but it quite agrees with Mr. Mason that there is no sound reason to require any paving pending this litigation."

Speaking editorially, the Indianapolis News said, November 12, 1894: "It is of the last importance that the street railway case should be carried as promptly as possible to the Supreme Court. Until there has been a final and authoritative decision of all the points at issue neither the city nor any company that may be using the streets knows what its rights are. If Judge Woods' decision is confirmed, then the appeal of the city for protection in the proper enjoyment of its own streets must be to the Legislature. It would probably do little good to appeal to the Legislature now."

Under date of Friday, November 16, 1894, the Indianapolis News also said editorially: "Until the street railway case has been decided by the Supreme Court of the United States, it is manifestly impossible for the city to enter into any negotiations with the company in possession. The city does not know what its rights and powers are, and can not know until the Supreme Court has affirmed or overruled Judge Woods' decision. It seems to us that meanwhile the only thing for the city to do is to do nothing. But now that the question is in the courts, we must let the final court say what its true solution is. Then we can proceed to act with intelligence."

The Indianapolis News also said editorially, February 4, 1895:

The main thing for the General Assembly to bear in mind in any legislation effecting the street railways of this city, is to guard against possibility of using any language which can be twisted into any sort of recognition of the present company's preposterous claim to a perpetual franchise in our streets. We do not know that the bills now before the committees of both houses requiring the company to pay for paving the parts of the streets occupied by its tracks, imply any recognition of the company's claims, but we do know that they are cumbersome and clumsy, and do not sharply distinguish between the functions of the Board of Public Works and the Council, as prescribed by the charter."

The Indianapolis Sun editorially said, February 11, 1895:

"If the members of the Legislature are wise, they will absolutely refuse to pass any bill relating, directly or indirectly, to Indianapolis street railway affairs at this session. The matter is now in the courts, and in fair way to reach a settlement. Then if the city is beaten, and there is no prospect of receiving reasonable concessions, it will be time for the State Legislature to act. Any laws adopted now would only serve to further complicate matters.

I have received a number of letters from prominent influential citizens of Indianapolis relative to the bill under consideration, one of them from Hon. Charles W. Smith, the attorney, whose judgment commends itself to every person who knows him. In his letter he states that he has been requested to indicate to the committee his opinion of the bill requiring street paving, considering the condition of affairs; and says: Ordinarily I would decline doing anything in such a matter, but I have some very strong convictions upon this subject. The company has undoubtedly expended large amounts of money, upon the faith of its contract with the city. I do not think the Legislature has any moral right, under such circumstances, to interfere and impose additional burdens, beyond this with litigation now pending for the purpose of depriving the company of the use of the streets, it seems to me that it is the highest degree unjust to impose the additional burden, unless some

proper assurance can be given that the company will be permitted to enjoy the streets. Again, in the very nature of things, if the company is to be subject to such interferences can any reasonable man expect it to be putting into the venture the capital required to give the people the character of service they should have?

Mr. H. H. Hanna, President of the Atlas works, expresses himself as follows: In my opinion special taxes on public corporations monopolizing the streets, like street railways, water and gas companies, are wrong. Paving between the tracks only benefits the particular property owner who otherwise would pay for the cost of the street improvements. The only way for the whole public to share in the price paid for the franchise of a street railway company is by cheap fares, and safe, comfortable and prompt service.

Mr. John S. Spann has said:

"The fact that the Citizens' Company has within a year put a million dollars into its plant, and that it is giving so good service, in my opinion, calls for special consideration. Can we fairly lay the burdens imposed in these pending acts upon the company before its charter rights are determined by the court of last resort? I think not."

Mr. R. S. McKee has also stated in a letter to the Speaker of the House: "I beg leave, as a citizen of Indianapolis and Indiana tax-payer for almost fifty years, to express to you, and through you to your above named committee, my conviction that such an enactment at this time would be manifestly oppressive to a degree approximating injustice."

Many other persons prominent in the business interests of Indianapolis have similarly expressed themselves, among them being Ex-Mayor John Cavin, R. B. F. Pierce, L. H. Gibson, M. G. McLain, Major Taylor, Wm. E. Mick & Co., Charles E. Coffin, P. H. Fitzgerald, F. M. Herron, Henry Frazer, John L. Griffiths, Philip Reichwein, Col. Eli Lilly, W. P. Fishback, George Sloan, President of the Board of Trade; George T. Tanner, Wm. H. Hobbs, H. R. Allen, D. P. Erwin, President of the Commercial Club; Ex-Governor Albert G. Porter, Geo. A. Gay, general manager of the New York Store; John C. Dean, Amos K. Holowell, I. S. Gordon, M. B. Wilson, Thomas

C. Day, D. A. Meyers, F. M. Montgomery, W. M. Jillson, L. D. Moody, N. F. Dalton, Frank J. Carlin, R. L. Dorsey, J. H. Clark, Irwin Robbins, George W. Pangborn, D. F. Fleener, Chas. E. Thornton, James T. Layman, and others.

ALBERT W. WISHARD.

MR. PRESIDENT:

The undersigned members of the Committee on Affairs of the City of Indianapolis, to whom was referred Senate Bill No. 40, introduced by Senator McHugh, would respectfully report that the same be indefinitely postponed.

J. W. CRUMPACKER,

GEO. W. SELF.

Senator Crumpacker moved that the bill with the reports thereon be printed.

Which motion prevailed.

The Committee on Military Affairs made the following report:

MR. PRESIDENT:

Your Committee on Military Affairs, to whom was referred Senate Bill No. 458, introduced by Senator Haggard, begs leave to report the same back with the recommendation that the same do pass.

McCUTCHAN,

Chairman.

Which report was concurred in.

The special committee appointed to amend Substitute Senate Bill No. 101 report as follows, to wit:

MR. PRESIDENT:

Your special committee to which was referred Substitute Senate Bill No. 101 and the amendments offered thereto, would report the foregoing substitute bill and that the same be printed.

ELLISON,

PHARES,

LA FOLLETTE,

Special Committee.



An act concerning drainage, the repairs of ditches and drains, and repealing all laws in conflict therewith.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That the Board of Commissioners of each county shall have the authority to repair and clean out all ditches established by the courts of their counties under this and all former laws in this State, and the same shall be accomplished in the following manner: Whenever any person interested in the repairing or the cleaning out of any ditch or drainage, and liable to pay any part of the cost therefor, desires to have the same done, he shall file with the Board of Commissioners a petition, stating that such ditch should be cleaned out or that it requires repairing and cleaning out, the nature of the repairs and places where such ditch or system of drainage should be repaired or cleaned; such repairs may be deepening, widening or straightening said ditch or ditches, the construction of short branches not to exceed one-half mile in length, the substitution of tile for open ditches, the raising of levees or other work that will increase the effectiveness of such drainage at any and all places; but the same shall not be of such a nature as to make a new system of drainage, and the cost of such additional work must not exceed twenty-five per cent. of the original cost of doing said work, exclusive of the tile placed therein, and the cost of constructing such branches, and such petition shall be, under oath, signed and sworn to by such petitioners.

Upon the filing of a petition asking that a ditch shall be repaired as hereinbefore authorized, as well as being cleaned, or that same ditch shall be cleaned out, and it exceeds four feet in width on the bottom according to the original plans and specifications made in establishing such ditch or system of drainage, the Board of Commissioners shall appoint some competent engineer not interested in such work, nor of kin to any person interested therein, who shall examine said ditch and, if necessary, make a survey thereof and report whether the cleaning, repairs and changes asked for in such petition should be made, and if so, in what manner the same shall be made, and also any particular benefit or damage that will accrue to any person or tract of land, describing it on account of such repairs or additional work, and the cost of doing the same; and

he shall also report the amount of work and the cost thereof that is necessary to restore said ditch to the original plans and specifications that have arisen, because of obstructions having been placed in said ditch by any land owner or tenant, describing the land owned by such person or occupied by tenant, by their permitting their stock to get into such ditch, and the cost of removing such obstructions or doing the work that has been made necessary by the act or neglect of such land owner or his tenant, or the stock of either of them; and also the cost and probable expense of cleaning out said ditch according to the original plans and specifications, and also the cost of doing such work of cleaning and repairing combined. Such engineer shall file his report not less than five days before the next regular meeting of such Board of Commissioners, if he can complete the same by such time; if he can not complete his report by that time then he shall notify the Board of Commissioners of such fact and then such Board shall fix a time when he shall have such report completed.

Such petitioner should post three notices in each township, in public places, near the line of such drainage, and deliver a copy thereof to a station agent of all railroad companies whose right of way is mentioned in the judgment establishing such drainage; and, also, to the Trustee of each township in which such drainage, or any part thereof, is located, in which they shall state the fact that they filed such a petition, and the nature of the repairs or work they desire having done as stated in such petition; the appointment of the engineer and his name; that his report will be ready for hearing at the next session of the Board of Commissioners. Any person interested in said report, or affected thereby, may file a statement with the Board of Commissioners on or before the first day of the session, when the same is to be reported to such Board. If time has been given such engineer after such first session, then on or before the day when the same is to be completed, stating wherein the same is incorrect or imperfect, and any changes that should be made in the assessments of benefits or damages reported by such engineer, and such Board of Commissioners if they find that notices have been posted and delivered ten days before the first day of such term, and that any objection has been made thereto, shall fix a time when they shall hear such objections, and they shall on that day, and

until they have finally determined said matter, hear evidence on behalf of any person who desires to be heard therein, and make such changes and modifications of such report as they think just and equitable, and enter a judgment as to what repairs and changes should be made in the plans and specifications of such ditch as originally, and assess against the lands benefited or damaged the amount of benefits or damages that will be received by it or them by the making of such repairs and against the lands whose owners or tenants have damaged such drainage the amount thereof, and the original plans and specifications of such ditch shall be modified and changed according to the judgment of such Board of Commissioners as entered, and such judgment shall be final.

If the Board of Commissioners in said judgment declare that such cleaning out or cleaning out and repairing should be done, the engineer selected to do such work shall forthwith proceed to have the same done. If only cleaning is desired, then whenever such matter is asked for, and the Board finds that such ditch or system of drainage, according to the original plans and specifications thereof, does not exceed four feet in width at any place on the bottom and should be cleaned, the Board shall appoint a competent person to do such work. If a majority of those interested in such work, and assessed to pay part of the cost thereof, shall designate some person to take charge of such cleaning, then the person so named shall be appointed by such Board to superintend such cleaning. If such person shall not be an engineer he shall not receive to exceed two dollars per day, and no expenses. Such person authorized to do any of such work shall have the power to let contracts to complete such parts or all of such work as he may deem best. That in letting such contracts such superintendent shall give preference to the offer of any person assessed to do the work allotted to him, if any such allotment has been made. To any land owner who desires to do the work upon his own land, provided such offer is made upon as good terms as any other person offers to do the same, and the giving such person against whom an allotment has been made first, or such land owner second, the right to do such work will not increase the cost of doing other portions of such work, or interfere with the prompt and efficient completion of such work of cleaning out said system of drainage

Before letting such contract he shall give notice by posting not less than three notices in each township through which said drainage extends, not less than ten days before he lets such contracts, wherein he shall state where and when he shall let such contracts, and the conditions under which he shall require such contracts to be completed, reserving the right to reject all bids. All contracts shall be let to the lowest and best bidder. All contractors shall give bond, payable to the State of Indiana, for the use of said Superintendent or whosoever may be interested therein, in double the amount of his bid, payable without relief, and attorneys fees for all breaches thereof, conditioned that he will do the work according to contract, and that the same shall be finished at the time agreed, and that if he shall fail so to complete the same a penalty for each day that he fails so to do, to be deducted from the amount of the contract price or to be paid by him, and that he will pay for all materials and labor used or employed therein; and such Superintendent, or any other person interested therein, may sue thereon and recover as a breach thereof the damages suffered by him; and if any contractor fails to do his work according to contract such Superintendent may relet said work and recover from said contractor any loss that may accrue because thereof, and all additional expenses incurred thereby; or he may pursue any other legal remedy he may have. Upon the completion of such repairs or cleaning out he shall make a report to the Board of Commissioners of the cost thereof, together with his own per diem and expenses necessarily incurred by him in doing said work. If the Board of Commissioners are satisfied the amount expended and the costs incurred are correct they shall approve such report as to such matters and give to the several persons entitled thereto an order on the Treasurer of such county for the amount due them.

The engineer or person ordered to do such work in making such report shall also state the amounts of benefits, if any, that will be received by the various tracts of land on the account of the doing of such work other than those fixed by the board before such work was commenced, and in so doing he shall be governed by the assessments originally made to construct such drainage unless justice and equity requires a different basis, in which case he shall give his reason for departing

from such basis and fix the assessments as he may think proper and right under all the circumstances. In making such assessments, if the work of cleaning has been in part or wholly caused by the washing into said ditches of obstructions, drift or debris from other lands than those upon which he found the same, or by the stock act or negligence of any occupant of any land or land owner he shall state such fact in his report and take the same into consideration and make his assessment in such a manner as will be just and right, and he shall not be limited to the lands assessed for the construction of said ditch, but shall assess all lands that have made such cleaning out necessary or have been benefited thereby. At that time the board shall fix a time not less than fifteen days nor more than thirty days thereafter, when they will hear any complaints as to the amounts of benefits assessed by such engineer, and if any land, or easement, or rights of way has been assessed, and the owner thereof has not appeared as a party in said matter before the board it shall order the Auditor of such county to cause notice to be given by personal service ten days before such day so fixed upon such owners or the agents of corporations owning such lands or rights of the filing of such report. Or that such Auditor shall give one notice by publication in some weekly newspaper of such county, published not less than ten days before the day set for hearing the same. That form of notice to be adopted which said Board shall deem the best and cheapest in that particular case. At the hearing such Board shall hear the evidence of all parties interested, and as soon as practicable determine the matters in controversy and enter judgment accordingly, which judgment shall be final unless the total assessments exceed one thousand dollars, when an appeal may be taken to such courts and upon such terms as is allowed herein.

To reimburse the county, the Auditor shall prepare an assessment in the following manner :

He shall first assess against the various tracts of land the several amounts of benefits found by the court to accrue to such lands on account of such repairs and changes in the ditch, and also the cost of removing such obstructions therefrom, and the extra work made necessary by the act or negligence of the owners of such tracts, or their tenants, or their stock, and in

addition thereto the amount of benefits found by the Board to have been received by such tract on account of such cleaning out and assessed against such tract in said proceedings.

It shall be his duty to so equalize said amounts by adding to or decreasing the same to the extent that the county shall be repaid the exact sum paid out on the order of the Board of Commissioners, on the completion of said work; and he shall also add to said amount charged against the several tracts of land the costs and fees adjudged against, charged to, or due from the owner thereof, and not payable as a part of the cost of constructing said work, and he shall certify the same to the Treasurer of such county, and place such amount on the next tax duplicate he delivers to such county Treasurer; and such Treasurer shall collect the same as he collects other taxes against the owners of such land, and the money when collected shall belong to such county, person or corporation entitled thereto, and said Treasurer shall pay the same and take a receipt therefor. If such ditch extend into another county, or assessments were originally made against any lands in such counties, then the Auditor of the county where such proceedings were had shall certify the amounts that have been paid out on account of the lands in such other county in the same manner above set forth, and deliver the same to the Auditor of such county, and he shall draw his warrant on the Treasurer of such county for the amount paid out in such matter, for and on account of the lands in such county, and the Treasurer of such county shall pay to the Treasurer of the county where proceedings were instituted the amount of such warrant or order, and the Auditor of such county shall place the amount assessed against said lands upon the next tax duplicate he delivers to the Treasurer of such county, who shall collect the same from the owners of the land in the same manner that he collects county and State taxes, and such money shall, when so collected, belong to such county.

*And be it further provided,* That at any time after the passage and taking effect of this law any person that has been assessed for the construction of a ditch or system of drainage that does not exceed four feet in width on the bottom at any place according to the plans and specifications may petition the Board of Commissioners to have the cleaning out thereof apportioned

or re-apportioned and he shall file such petition not less than twenty days before some regular meeting of such Board, and he shall post notices in not less than three public places in the township where such ditch or drainage is located and near the line thereof, stating therein the fact that he has filed such petition, and that he will ask such Board to apportion the cleaning out of such ditch among the land owners interested therein and affected thereby, and if the Board find that such petition has been filed and notice given they shall proceed to hear such matter and upon the evidence of the parties interested therein they shall have the power to apportion or re apportion said ditch and allot to those interested therein the portion of the same that should be kept clean by such parties, and said Board may refuse so to do if they think such allotment would work a wrong to any of the parties interested, and, if necessary to the decision of such matter, to have a survey made of the ditch by some competent engineer not interested therein, or next of kin to any person affected thereby, either to ascertain the character and condition of such ditch or to stake out the parts that should be set off to each of said individuals, and in making such allotments they may disregard the original assessments, except in so far as it may be evidence to show how much should be allotted to each tract of land; such allotment should be made to each tract of land affected in the proportion that the cleaning out of such ditches shall benefit such particular tract of land, and if the owner of such tract of land shall thereafter keep the same clean no assessment shall be made against his land on account of any cleaning done in said ditch, or to pay any cost or expense made in any proceeding to cause such cleaning to be done: *Provided, however,* That if any person who petitions for the cleaning out of any ditch, as hereinbefore provided, shall state therein that an allotment is not, or that any number of allotments on said ditch are not, just and equitable, and that the same should be increased or decreased not less than twenty per cent., the issue thus tendered shall be tried and determined by said Board, and the same may be, in such proceeding, re-allotted as herein provided, if any land owner ask that it be so done. In making such new allotments the Board shall, as near as may be, place the same where the first allotment was placed, and in all cases the allotments shall be upon, or as near as can be, to the land that it is made the duty to keep such allotment clean.

*And be it further provided,* That all allotments that have heretofore been made, under any law of this State, shall be deemed, and are hereby declared, to be legal and proper, and if kept clean, under the law by the authority of which the same were established, the same shall not be affected by this act, except where petitions are filed to re-allot such ditches, in which case the provisions of this act shall apply, and such re-allotments made in conformity herewith.

SEC. 2. At any time within twenty (20) days after final judgment has been rendered by the Board of Commissioners in said matter, any person affected by such judgment shall have the right to take an appeal therefrom to the Circuit or Superior Courts of said county, in which case he shall file with the Auditor in said county his written remonstrance thereto for any of the following causes:

*First.* That the benefits assessed to his land, describing the same, is too much compared with other lands assessed as benefited, describing such other tracts.

*Second.* That some tract, describing it, is assessed too low according to the benefits that will be received by it.

*Third.* That in case repairs are ordered, that the plans decided upon are not sufficient to properly drain the affected lands.

*Fourth.* That the plans decided upon shall be changed in some manner specifically setting out wherein the same shall be changed.

Such remonstrant shall make affidavit that the facts stated in such remonstrance are true; that he is interested in such matter, and that there shall be filed with such remonstrance a bond, signed by some good freehold surety, to be approved by the Auditor, promising to pay all costs that may be adjudged against such remonstrant by the court that shall determine such questions and pass final judgment thereon. After the expiration of said twenty (20) days, if a remonstrance and appeal bond has been filed as provided for, the Auditor shall transmit to the Clerk of the Court mentioned in such remonstrance all the papers in said matter, and a copy of the final judgment as entered by the Board of Commissioners. After such papers



and copy of such proceedings have been filed in such court ten days the same shall stand for trial as an action pending in such court before the Judge thereof, and the same shall be tried without the intervention of a jury. The petition and the judgment thereon shall be deemed the pleadings upon one side, and the remonstrance the pleadings upon the other. If there be more than one remonstrance in such matter, then all such appeals shall be consolidated and tried together. On the trial the order of the Commissioners shall be deemed *prima facie* evidence of the facts therein stated, and the burden of proving the same to be erroneous shall rest upon the remonstrants, and they shall have the open and close of such trial, and such court shall have power to modify and equalize the assessments and damages, and assess such damages as all the evidence and facts show to be proper and just, and also to have the power to change and modify the plan adopted by such Board to do such work as to it shall seem right, and shall also have the power to cause a new survey to be made of said drainage, if necessary, to have a proper understanding of said matter. The court upon determining the issues joined in said matter shall render such a judgment as it thinks proper, and order its Clerk to transmit to the Auditor of said county all the papers filed in such matter, together with a copy of its judgment, and such judgment shall be entered upon the records of said Board of Commissioners, and all papers thereafter preserved by the Auditor of such county.

SEC. 3. No person shall be permitted to take advantage of any error committed in any proceedings to lay out, construct, clean out or improve any drainage under and by virtue of this act, nor of any error committed by the Board of Commissioners or by the County Auditor, engineer or other person or persons in the proceedings to clean out or improve any such drainage, nor any informality, error or defect appearing in the record of such proceedings, unless the party complaining is directly affected thereby. And this act shall be liberally construed to the end that such improvements be made in the cases provided for, and that the lands benefited pay therefor.

SEC. 4. When the nature of the work requires the employment of a civil engineer, the surveyor of such county or any competent engineer may be employed to do such work, neither

shall be authorized to appoint a deputy to do any act requiring the exercise of judgment; such surveyor or engineer shall deposit with such Board of Commissioners all notes taken by him, and all estimates and specifications made by him in said ditch matters. Such notes and estimates and specifications, if made by the County Surveyor, shall be certified by him to be correct; if made by any other person, such person shall attach his affidavit to the like effect, which, if they fail so to do, they shall receive no pay therefor. Such surveyor or engineer shall have authority to employ such rod men, chain carriers and axemen as are necessary to make the surveys provided for herein. Such notes and reports shall be in the custody of the Auditor of such county and open to the inspection of all persons interested at any time.

SEC. 5. The same fees and charges shall be taxed as costs in drainage proceedings as are taxed in similar matters and proceedings in the Circuit Court. If any petition or remonstrance be dismissed or adjudged to have been improperly or illegally filed or made, or any issue be made by any remonstrance, and the same is decided wholly adversely to such remonstrant, the costs occasioned thereby shall be taxed and adjudged against the person making or filing the same.

If a remonstrance is filed to any assessment of damages or benefits, and the same is not changed twenty (20) per cent. in favor of the remonstrant, such remonstrant shall pay the costs of the hearing had thereon. In all other cases the costs shall be deemed a part of the expenses of doing such work, and paid in the same manner as the construction thereof is paid.

The petitioners in all proceedings herein mentioned shall have the right to employ an attorney to prepare the petitions and reports herein mentioned, and present the same to the several courts hearing the same, and a reasonable fee therefor shall be allowed by such Court and taxed and paid as a part of the expense of constructing such work, if the same be decided in favor of such petitioners.

The County Surveyor or civil engineer shall receive three dollars per day and his actual traveling expenses, the chainmen and axmen one dollar and twenty-five cents per day and no expenses, and the rodmen one dollar and fifty cents per day but no expenses. Should such rodmen, chainmen or axmen

be interested in such work they shall receive no pay for their services. And such service and expense shall be paid by the county (unless otherwise provided for in this act, in which case they shall be paid as provided for in this act), but only after the Board of Commissioners have examined and allowed the bills therefor; and all such bills shall state specifically the date and character of the expense incurred, and the time of service charged for each item, and shall further state that such services were necessary and actually rendered, and such expense actually and necessarily incurred; that such claimant has not charged or received pay from said county or any person for any of the time or for any of the expenses mentioned in said bill, and will not do so; such bill shall be verified by such claimant and certified to by the engineer who required such service as being correct. Any person interested may appear before such Board and contest any such allowance, and if it be shown that the same is incorrect only what is right shall be allowed and paid.

SEC. 6. This act shall not repeal any other law or laws upon the subject of drainage now in force, but shall only be supplemental thereto, and all proceedings now pending, or that shall hereafter be commenced under such other laws, if so stated in the petition thereof, shall be governed thereby. And that all laws now in force shall continue in force as though this act had not been passed except as such provisions as are herein declared to be opposed thereto, or to take effect in opposition thereto.

SEC. 7. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in force and effect from and after its passage.

MR. PRESIDENT:

Your Special Committee, to which was referred Substitute Senate Bill No. 101, and the amendments offered thereto, would report the foregoing substituted bill, and that the same be printed.

ELLISON,  
PHARES,  
LAFOLLETTE,

Special Committee.

Which report was concurred in and the bill was ordered printed.

Engrossed House Bill No. 28 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Bethell, Bird, Boord, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Haggard, Holler, Humphreys, Johnston, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Self, Shiveley, Vail, Watson, Wishard, Wray. Total, 40.

Those voting in the negative were:

Senators Houghton, Kern of Marion, Seller, Stuart. Total, 4.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senate Bill No. 119 was read the third time.

Senator Newby demanded the previous question.

The demand was seconded by the Senate.

The question being, Shall the main question be now put?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Baker, Bethell, Boord, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Kerns of Vermillion, Leyden, McCord, McCutchan, McKelvey, Mull, Newby, O'Brien, Parker, Schneck, Self, Vail, Watson, Wray. Total, 25.

Those voting in the negative were:

Senators Alexander, Barnes, Bird, Gifford, Humphreys, Johnston, Kern of Marion, LaFollette, McDonald, McHugh, Rinear, Seller, Stuart, Wray. Total, 18.

So the main question was ordered.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Bethell, Bozeman, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Leyden, McCutchan, McDonald, Mull, Newby, O'Brien, Schneck, Vail, Watson, Wishard, Wray. Total, 20.

Those voting in the negative were:

Senators Alexander, Bird, Boord, Collett, Gifford, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, McKelvey, Parker, Rinear, Seller, Stuart. Total, 15.

So the bill failed to pass for want of a constitutional majority.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bills, Nos. 27, 398 and 434, and Senate Concurrent Resolution No. 20, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 398:

An act to amend section three (3) of an act to provide for the repairs of free turnpike roads in the various counties of Indiana, and constituting the Board of Commissioners of any county in this State a Board of Directors of such road," approved March 24, 1879, being section 5106 of the Revised Statutes of 1881.

Read the first time and referred to the Committee on Roads.

Engrossed House Bill No 27:

An act making railroad companies or corporations operating or running cars or steam engines liable for damage for fire caused by engines, and declaring an emergency.

Read the first time and referred to the Committee on Railroads.

Engrossed House Bill No. 434, entitled :

A bill for an act to legalize the incorporation of the town of Eaton, Delaware County, Indiana, the election and qualification of its several boards of trustees and other officers and all acts, orders, ordinances, resolutions, by-laws, minutes and proceedings of the Board of Trustees of said town and other matters connected therewith and declaring an emergency.

Read the first time.

Senator Cranor moved that the constitutional rule requiring bills to be read on three several days be suspended, that the bill be read the second time by title, considered engrossed, read the third time by sections and placed upon its passage.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Boord, Collett, Cranor, Crumpacker, Duncan, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kerns of Vermillion, LaFollette, Leyden, McCord, McDonald, McKelvey, McLean, McManus, Manwaring, Mull, O'Brien, Parker, Phares, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, Wishard, Wray. Total, 39.

None voting in the negative.

So the constitutional rule was suspended, the bill was read the second time by title, considered engrossed, read the third time by sections and placed upon its passage.

The question being, Shall the bill pass ?

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Collett, Cranor, Duncan, Gifford, Holler, Houghton, Humphreys, Johnston, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, O'Brien, Parker, Phares, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, Wray. Total, 38.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title of the act.

Senate Bill No. 418 was read the third time.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Collett, Cranor, Duncan, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern, Kerns, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, Wishard, Wray. Total, 42.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senate Bill No. 154 was read the second time and ordered engrossed.

Senate Bill No. 419 was read the second time and ordered engrossed.

Senate Bill No. 197 was read the second time.

Senator Kern moved that the constitutional rule requiring bills to be read on three several days be suspended, the bill be considered engrossed, and read a third time by sections.

The question being on the suspension of the constitutional rule.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Barnes, Beck, Bethell, Bird, Boord, Collett, Crumpacker, Duncan, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern, Kerns, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Newby, O'Brien, Parker, Phares, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, Wishard, Wray. Total, 41.

None voting in the negative.

So the constitutional rule was suspended, the bill considered engrossed, read a third time by sections, and placed upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Barnes, Beck, Bethell, Bird, Boord, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gifford, Gostlin, Holler, Houghton, Humphreys, Kern, Kerns, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Seller, Shiveley, Stuart, Vail, Watson, Wishard, Wray. Total, 41.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senate Bill No. 411 was read the second time and ordered engrossed.

Senate Bill No. 353 was read the second time.

Senator Parker offered the following amendment:

MR. PRESIDENT:

I amend Senate Bill No. 353 by striking out "four" in line 1 of section 4 and inserting in lieu thereof the word "six."

PARKER.

The amendment was adopted.



Senator Stuart moved that the constitutional rule requiring bills to be read on three several days be suspended, the bill be considered engrossed and read the third time by sections.

The question being on the suspension of the constitutional rule.

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Baker, Beck, Boord, Bozeman, Collett, Crumpacker, Gifford, Gostlin, Haggard, Holler, Humphreys, Johnston, Kern, Kerns, LaFollette, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Rinear, Schneck, Seller, Shiveley, Stuart, Watson, Wishard, Wray. Total, 84.

Those voting in the negative were:

Senators Bethell, Craynor, McCord, McCutchan, Parker, Vail. Total, 6.

So the constitutional rule was suspended, the bill considered engrossed, read the third time by sections and placed upon its passage.

The question being, shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Baker, Beck, Bird, Boord, Bozeman, Collett, Crumpacker, Ellison, Gifford, Haggard, Holler, Houghton, Kern, Kerns, McCord, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Seller, Shiveley, Stuart, Watson, Wishard, Wray. Total, 84.

Those voting in the negative were:

Senators Bethell, Cranor, Duncan, Humphreys, Johnston, LaFollette, McCutchan, Self, Vail. Total, 9.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senate Concurrent Resolution No. 18 was read.

The question being upon the adoption of Senate Concurrent Resolution No. 18.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Bethell, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Newby, O'Brien, Parker, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, Wishard, Wray. Total, 35.

Senator Johnston voting in the negative.

So the resolution was adopted.

Senate Bill No. 422 was read the second time and ordered engrossed.

Senate Bill No. 187 was read the second time and ordered engrossed.

Engrossed House Bill No. 61 was read the second time and ordered to third reading.

Engrossed House Bill No. 261 was read the second time and advanced to third reading.

On motion of Senator Barnes Senate Bill No. 350 was ordered engrossed.

Senate Bill No. 369 was read the second time.

On motion of Senator Parker the bill was recommitted to the Committee on Banks.

Senator Boord introduced Senate Bill No. 465, entitled:

An act to change the name of Jacksonville, Fountain County, Indiana, to Wallace.

Senate Bill No. 465 was read the first time.

Senator Boord moved that the constitutional rule requiring bills to be read on three several days be suspended and the bill be read a second time by title, considered engrossed, read a third time by sections and placed upon its passage.

The question being on the suspension of the constitutional rule.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Boord, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Newby, O'Brien, Parker, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Watson, Wray. Total, 41.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title, considered engrossed, and a third time by sections and put upon its passage.

The question being, Shall the bill pass ?

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Boord, Bozeman, Collett, Crumpacker, Duncan, Ellison, Gifford, Haggard, Holler, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, Wishard, Wray. Total, 41.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Special order resolution on Rinear and Foust contested election case was taken up.

The question being upon the adoption of the resolution.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senator Alexander, Baker, Barnes, Beck, Bird, Collett, Crumpacker, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, O'Brien, Parker, Phares, Shiveley, Stuart, Vail, Watson, Wishard, Wray. Total, 34.

Those voting in the negative were:

Senators Bethell, Cranor and Seller. Total, 3.

So the resolution was adopted and the warrants were ordered drawn.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 164, 330 and 348, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 164, entitled:

A bill for an act to authorize the organization and incorporation of Mutual Insurance Companies and defining their powers, rights, and duties, and other matters connected therewith, repealing all laws in conflict therewith and declaring an emergency.

Read the first time and referred to the Committee on Insurance.

Engrossed House Bill No. 380, entitled :

A bill for an act to amend Section 33 of an act entitled an act to provide for a general system of common schools, the officers thereof and their respective powers and duties and matters properly connected therewith and prescribing the fees for certain officers therein named and for the establishment and regulation of township libraries and to repeal all laws inconsistent therewith prescribed, approved March 6, 1865, and added supplemental sections thereto, approved March 8, 1873. Being section 4424 of the Revised Statutes of 1881, declaring an emergency.

Read the first time and referred to the Committee on Education.

Engrossed House Bill No. 348 :

An act regulating the taxing of dogs and for the protection of sheep, cattle, horses, swine, other stock and fowls; to provide penalties for its violation, to repeal all laws in conflict and to declare an emergency.

Read the first time and referred to the Committee on County and Township Business.

Engrossed House Bill No. 57 was read the second time.

Senator Parker offered Amendment No. 1 as follows :

MR. PRESIDENT :

I move to amend Engrossed House Bill No. 57 by striking out the proviso to section 55.

PARKER.

Senator Ellison offered the following substitute for Amendment No. 1 :

MR. PRESIDENT :

As a substitute to Senator Parker's motion :

I move to amend section 55 of House Bill No. 57, by striking out all after the word anticipated in line 10, and to substitute in lieu thereof these words : "If any member of the State militia be charged by indictment or information and affidavit

with having committed any offense against the criminal laws of this State, and such person so charged shall make an affidavit that he can not have a fair and impartial trial of such matter in the county where such offense is charged to have been committed, or shall make oath that he can not have a fair and impartial trial in such county or any adjoining county then the Court shall grant a change of venue for the trial of such offense. If the first affidavit be made then to an adjoining county, if the second affidavit be filed then such change shall be made to some county farther removed from where such offense is charged to have been committed to some county where the Court finds that such person can have a fair and impartial trial."

ELLISON.

Senator Parker withdrew Amendment No. 1.

Senator Seller offered the following substitute for Amendment No. 1, as substituted by Senator Ellison:

MR. PRESIDENT:

I move to amend House Bill No. 57 by striking out of line 14 in section 55 the words "such officer or" and insert in lieu thereof the word "subordinate."

SELLER.

Senator McCutchan moved the previous question.

The Senate seconded the motion.

The question being, Shall the main question be now put?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Baker, Bethell, Collett, Cranor, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCutchan, McHugh, McLean, McManus, Manwaring, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Wishard. Total, 23.

Those voting in the negative were:

Senators Barnes, Beck, Bird, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McKelvey, Parker, Rinear, Seller, Stuart, Wray. Total, 15.

So the main question was ordered put.

The question being on the substitution of Senator Seller's amendment for Amendment No. 1.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Bethell, Bird, Johnston, McDonald, Rinear, Seller, Stuart. Total, 7.

Those voting in the negative were:

Senators Alexander, Baker, Barnes, Beck, Bozeman, Collett, Cranor, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCutchan, McHugh, McKelvey, McLean, McManus, Manwaring, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Wishard, Wray. Total, 32.

So Senator Seller's amendment was not substituted for Amendment No. 1.

The question being on the adoption of Amendment No. 1.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Barnes, Beck, Bird, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McKelvey, Rinear, Seller, Stuart, Wray. Total, 16.

Those voting in the negative were:

Senators Baker, Bethell, Bozeman, Collett, Cranor, Duncan, Gostlin, Haggard, Holler, Kerns of Vermillion, LaFollette, McCutchan, McHugh, McLean, McManus, Manwaring, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Wishard. Total, 24.

So the amendment was lost.

The bill was then ordered to third reading.

The following message was received from the House:

**MR. PRESIDENT:**

I am directed by the House to inform the Senate that the House has passed House Bill No. 269, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 269, entitled :

A bill for an act concerning libel in civil and criminal cases.

Read the first time and referred to the Committee on Judiciary.

On motion of Senator Cranor the Senate adjourned.

MORTIMER NYE,

President of the Senate.

WILLIAM S. ENNES,

Assistant Secretary of the Senate.

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TUESDAY MORNING.

FEBRUARY 26, 1895.

The Senate met at 10 A. M., with Lieutenant-Governor Nye in the chair.

After a portion of the Journal had been read, on motion of Senator Collett, the further reading of the same was dispensed with.

The Committee on Rules offered the following resolution :

MR. PRESIDENT :

Your Committee on Rules presents the following :

*Resolved*, That hereafter all speeches be limited to five minutes, and no Senator shall be allowed to yield any time to another or otherwise to extend his time, except by the unanimous consent of the Senate : *Provided*, That this rule shall not apply to the discussion of political questions arranged for by the committee in charge of such matters.

CRANOR.



Senator Kern offered the following amendment :

MR. PRESIDENT :

I move to amend the resolution now presented by the Committee on Rules by striking out all after the word "provided" and inserting the following :

"That this rule shall not apply to the discussion of any political question, or the fee and salary bill, or the appropriation bill."

JNO. W. KERN.

The amendment was accepted by Senator Cranor.

The resolution was then adopted.

Senate Bill No. 145 was read the second time and ordered engrossed.

Senate Bill No. 338 was read the second time and ordered engrossed.

Senate Bill No. 340 was read the second time and ordered engrossed.

Senate Bill No. 399 was read the second time.

Senator McHugh moved that the constitutional rule requiring bills to be read on three several days be suspended, that the bill be considered engrossed and read the third time by sections and placed upon its passage.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were :

Senators Alexander, Beck, Bird, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McManus, Manwaring, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Seller, Shiveley, Stuart, Vail, Watson, Wishard, Wray. Total, 37.

None voting in the negative.

So the constitutional rule was suspended, the bill was considered engrossed, read the third time by sections and placed upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bird, Boord, Bozeman, Crumpacker, Duncan, Ellison, Haggard, Holler, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, McCord, McCutchan, McDonald, McHugh, McKelvey, McManus, Manwaring, Newby, Parker, Phares, Rinear, Schneck, Seller, Shiveley, Stuart, Vail, Watson, Wishard, Wray, Total, 36.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 125 was read the second time and passed to the third reading.

Engrossed House Bill No. 525 was read the second time and passed to the third reading.

Senate Bill No. 312 was read the second time and ordered engrossed.

Senate Bill No. 364 was read the second time.

Senator Cranor offered Amendment No. 1, as follows :

MR. PRESIDENT :

I move to amend Senate Bill No. 364 by striking out of line 8, section 2, of the printed bill the words "back to a distance of fifty feet," and by inserting in line 18 of said section 2, and between the words "of" and "fifty," the words "one hundred and."

CRANOR.

Which amendment was adopted.

Senator Cranor offered Amendment No. 2, as follows :

MR. PRESIDENT :

I move to amend section 9 of Senate Bill No. 364 by inserting in line 6 of said section, between the words "and" and "any," the word "also," and by adding at the end of line 5 of said section 9 the following words: "and in all streets where more than one track is maintained, then all space between such tracks," and by striking out the word "one" in line 5 of said section 9 and inserting in lieu thereof the word "two."

CRANOR.

Which amendment was adopted and the bill ordered engrossed.

Senate Bill No. 439 was read a second time.

Senator Parker offered Amendment No. 1, as follows :

MR. PRESIDENT :

I move to amend section 7 of Senate Bill No. 439 by inserting after the words "appliances" in line 12 of said section the words, "or such part thereof as the Auditor of State may determine to be just and equitable.

PARKER.

Which amendment was adopted and the bill ordered engrossed.

Senator Rinear introduced Senate Bill No. 466, entitled :

A bill for an act to fix the time for holding courts in the Twenty-eighth Judicial Circuit, composed of the counties of Wells and Blackford, and declaring an emergency.

Read the first time.

Senator Seller moved that the constitutional rule be suspended and that the bill be read a second time by title, considered engrossed, read the third time by sections, and put upon its passage.

The question being on the suspension of the constitutional rules.

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Collett, Crumpacker, Duncan, Ellison, Gifford, Haggard, Holler, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McHugh, McKelvey, McLean, McManus, Manwaring, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, Wishard, Wray. Total, 41.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read the second time by title and considered engrossed.

Read a third time by sections and put upon its passage.

The question being, Shall the bill pass ?

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Crumpacker, Duncan, Ellison, Gifford, Haggard, Holler, Houghton, Humphreys, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, Wishard, Wray. Total, 39.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senate Bill No. 403 was read the second time and ordered engrossed.

Senate Bill No. 288 was read the second time and ordered engrossed.

Senate Bill No. 266 was read the second time and ordered engrossed.

Senator Shiveley moved to refer Substitute Senate Bill No. 26 to a committee of one for amendment.

Which motion prevailed.

Senator Shiveley, the committee of one, to whom was referred Substitute Senate Bill No. 26, for amendments, made the following report:

MR. PRESIDENT :

Your committee of one, to which was referred Senate Substitute Bill No. 26, for amendments, reports the same back, with the following amendments:

*First.* To amend the title by striking out the word "ten" in the second line, and inserting in lieu thereof the word "seven."

*Second.* By inserting after the word "numbers" in line 6 the following: "to be appointed by the respective Mayors of said cities.."

*Third.* By striking out the word "five" in line 29 of section 1 (one), and inserting in lieu thereof the word "one."

*Fourth.* By striking out the word "detective" or "detectives," in all places where they occur in said bill.

*Fifth.* By striking out all the words between the brackets in lines 22 and 23 of section 2.

*Sixth.* By striking out, in lines 15, 16 and 17, of section 8, the following: "for offenses charged to have been committed in such city by the Board of Metropolitan Police Commissioners," and inserting in lieu thereof the following: "for offenses charged by the Board of Metropolitan Police Commissioners to have been committed in such city."

*Seventh.* By inserting after the word "department" in line 6 of section 6, the following: "And said Commissioners shall annually, on the first Tuesday of January, make a full and complete report of receipts and expenditures made or ordered by them during the year, stating the amount and for what purpose ordered, and shall cause the same to be published one time in two papers of different political faith, representing the two parties having representation on said Board, and shall file the same with the City Clerk."

And that said bill with these amendments be printed.

CHAS. E. SHIVELEY.

Which report was concurred in.

Senator Shiveley moved that the bill be advanced to the second reading and the bill with amendments be printed.

Which motion prevailed.

Senate Bill No. 273 was read the second time.

Senator McKelvey offered Amendment No. 1, as follows:

MR. PRESIDENT:

I move to amend Senate Bill No. 273, as follows: In line 20 of section 1, of printed bill, strike out the words, "if so claimed within twenty-four hours," and after the word "interment" in line 24 of same section insert the words, "*Provided*, That when any individual previous to his death requests that his body be not used for scientific purposes, then no person or persons shall have any right to use the body of the deceased for dissecting or other scientific purposes."

Also strike out sections 5 and 6.

McKELVEY.

Senator Kern offered the following amendment to Amendment No. 1:

MR. PRESIDENT:

I move to amend the amendment proposed by Senator McKelvey by inserting after the word "request" in line 7 the words "in writing."

KERN.

Which amendment was adopted.

Amendment No. 1, as amended, was adopted.

Senator Houghton offered Amendment No. 2, as follows:

MR. PRESIDENT:

I move to amend Senate Bill No. 273 by striking out all after the word "burial" in line 23 of section 1 and inserting in lieu thereof the words "said body shall be delivered to such person."

HOUGHTON.

Which amendment was adopted, and the bill as amended was ordered engrossed.

Senate Bill No. 428 was read the second time.

Senator Wray offered Amendment No. 1 to Senate Bill No. 428, as follows:

MR. PRESIDENT:

I move to amend Senate Bill No. 428 by striking out the words "for same length of time" in line 2, section 2, of said bill and inserting in lieu thereof the words "for one year."

WRAY.

Which amendment was adopted and the bill ordered engrossed.

Senator Vail introduced Senate Bill No. 467, entitled:

A bill for an act to divide the State of Indiana into congressional districts, and repealing all laws and parts of laws in conflict therewith.

Read the first time and referred to the Committee on Congressional Apportionment.

Senate Bill No. 410 was read the second time and ordered engrossed.

The Committee on Education made the following reports :

MR. PRESIDENT :

A majority of your Committee on Education, to which was recommitted Senate Bill No. 378, introduced by Senator Shiveley, would report it has had the same under consideration and recommends that the same be amended by striking out the words "to require said" in line 21 on page 4 of the printed bill, inserting in lieu thereof the word "such."

Also to strike out the word "require" in line 26, page 4, of the printed bill. .

Also to strike out the word "to" in line 26, page 4, of the printed bill, and to insert in lieu thereof the word "shall," and that when so amended the bill do pass.

H. C. DUNCAN,  
Chairman.

MR. PRESIDENT :

A minority of your Committee on Education, to which was recommitted Senate Bill No. 378, introduced by Senator Shiveley, begs leave to report the same back to the Senate with the recommendation that it be indefinitely postponed.

GIFFORD.

The question being on the substitution of the minority for the majority report :

Those voting in the affirmative were :

Senators Alexander, Barnes, Beck, Bird, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart. Total, 17.

Those voting in the negative were :

Senators Baker, Bethell, Boord, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, Wishard, Wray. Total, 28.

So the minority report was rejected and the majority report was adopted.

The bill was ordered engrossed.



Engrossed House Bill No. 310 was read the second time and passed to the third reading.

Senator Cranor introduced Senate Bill No. 468, entitled:

A bill for an act to amend section 8 of an act entitled "An act providing for the regulation and supervision of foreign and domestic building, loan fund, savings or investment associations, making and filing of statements of the condition and the examination of the affairs of the same; prescribing penalties for the violation of the provisions of this act, and said act to be in force from and after April 1, 1893," and declaring an emergency.

Read the first time and referred to the Committee on Corporations.

Senator Wray, by unanimous consent, offered the following amendment to Engrossed Senate Bill No. 267:

MR. PRESIDENT:

I move to amend Senate Bill No. 267 by adding to and at the end of the first clause of section one (1) of said bill the following consecutive words, "or for constructing, operating and maintaining sewers, or for constructing, operating and maintaining a system of drainage for private and public property.

WRAY.

Which amendment was adopted.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT, }  
INDIANAPOLIS, IND. }

FEBRUARY 26, 1895.

*To the President of the Senate:*

I trust it may not be deemed improper in me, owing to the few days remaining, to ask to call the attention of the Senate to Senate Bill No. 303, relating to winter racing, and beg its early consideration. I have reason to believe that immediately upon the adjournment of the General Assembly the Roby Fair

Association proposes to renew their meetings, which have been such a source of annoyance and mortification to the citizens of the State. The enactment of the proposed law will prohibit these meetings, and save the State much expense in otherwise dealing with this public nuisance and evil.

Respectfully,

CLAUDE MATTHEWS,

Governor.

Senate Bill No. 244 was read the second time.

Senator Ellison offered Amendment No. 1, as follows :

MR. PRESIDENT :

I move to amend Senate Bill No. 244 by striking out section 2.

ELLISON.

The amendment was adopted and the bill ordered engrossed.

Senate Bill No. 362 was read the second time and ordered engrossed.

Senate Bill No. 352 was read the second time and ordered engrossed.

Senate Bill No. 366 was read the second time and ordered engrossed.

Substitute Senate Bill No. 101 was read the second time.

Senator Ellison moved to make the bill a special order for to-morrow at 10 o'clock A. M.

Which motion prevailed.

Substitute Senate Bill No. 424 was read the second time and ordered engrossed.

Senate Bill No. 363 was read the second time.

Senator Seller offered the following Amendment No. 1:

MR. PRESIDENT:

I move to amend Senate Bill No. 363 by striking out the proviso in section 2.

SELLER.

Which amendment was adopted and the bill was ordered engrossed.

Senator Kern introduced Senate Bill No. 469, entitled:

A bill for an act to amend section 65 of an act entitled, "An act providing for the settlement and distribution of decedents' estates," approved April 14, 1881.

Read the first time and referred to the Committee on Judiciary.

Substitute Senate Bill No. 49 was read the second time and ordered engrossed.

The following communication was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 106 and House Bills Nos. 230 and 313, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 280, entitled:

A bill for an act to amend sections 1, 12, 23, 24, 29 and 30 of an act entitled "An act to authorize and encourage the construction of drains and dykes and the reclamation of wet and overflowed lands by incorporated associations, and providing for the organization of such associations and prescribing their powers, and providing for the assessment of the costs of such improvements and expenses attending the same upon the lands benefited thereby, and for the collection of said assessments, and declaring an emergency," and approved March 5, 1889, so that said act when so amended shall authorize any county to

issue bonds for such work, to run not exceeding fifteen years, and at an annual interest not exceeding six per cent., and so as to include in such work any ditch, open or covered, with appropriate waste gates for letting off overflows, and to include and appropriate any work for such purpose of reclaiming such lands which may have been made in pursuance of any other or former law, and to provide for the refunding to the county such money so advanced to construct such work, and declaring an emergency.

Read the first time and referred to the Committee on Swamp Lands and Drains.

Engrossed House Bill No. 318:

A bill for an act concerning money, goods, or other property stolen, lost, abandoned, or taken or received from a person under arrest, coming into the possession of a member of the police force of a city by virtue of his office, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

The President of the Senate submitted the following:

*To the Senate:*

I respectfully report that I have signed Senate Enrolled Bill No. 58.

MORTIMER NYE,  
President of Senate.

Senator Parker introduced Senate Bill No. 470, entitled:

A bill for an act defining the duties of Jury Commissioners in the striking of juries.

Read the first time and referred to the Committee on Judiciary.

Senator McLean introduced Senate Bill No. 471, entitled :

A bill for an act to amend section one (1) of an act entitled "An act fixing the salaries of Judges of the Circuit and Superior Courts of this State, and when the same shall be paid, and providing in what manner the Judges in counties containing cities of a certain population such salaries may be increased, and how and when such increase shall be paid, and declaring an emergency," approved March 4, 1898, and declaring an emergency.

Read the first time and referred to the Committee on Fees and Salaries. .

Senator LaFollette introduced Senate Bill No. 472, entitled :

A bill for an act to amend sections one, two and three of an act entitled an act concerning the sinking, safety, maintenance, use and operation of natural gas and oil wells, prescribing penalties, and declaring an emergency, approved March 4, 1898, and declaring an emergency.

Read the first time and referred to the Committee on Natural Gas.

The Committee on County and Township Business made the following report :

MR. PRESIDENT :

Your Committee on County and Township Business, to which was referred Senate Bill No. 387, introduced by Senator Ellison, begs leave to report the same back to the Senate with the recommendation that the same do pass.

M. W. COLLETT,  
Chairman.

Which report was concurred in.

Senate Bill No. 72 was read the second time and ordered engrossed.

Senate Bill No. 444 was read the second time and ordered engrossed.

Engrossed Senate Bill No. 850 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Bozeman, Collett, Cranor, Crumpacker, Ellison, Gifford, Haggard, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, O'Brien, Phares, Rinear, Self, Seller, Shiveley, Wray. Total, 86.

Those voting in the negative were:

Senators Holler, LaFollette, Parker, Stuart, Vail. Total, 5.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 861 was read the third time and put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Barnes, Beck, Bird, Bozeman, Collett, Cranor, Duncan, Ellison, Gifford, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, LaFollette, Leyden, McCord, McDonald, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Rinear, Sehneck, Seller, Stuart, Vail, Wray. Total, 34.

Senator Kerns of Vermillion voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 859 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Beck, Bethell, Bird, Bozeman, Collett, Cranor, Duncan, Ellison, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McDonald, McKelvey, McLean, McManus, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Vail, Wray. Total, 85.

None voting in the negative.

So the bill passed.

Senator McLean moved to amend the title of Senate Bill No. 359 as follows:

Amend the title to Senate Bill No. 859 as follows:

An act concerning sewer improvements in cities having less than thirty-five thousand population according to the last preceding United States census, providing how the cost of such sewer improvements may be assessed and paid, and declaring an emergency.

Which motion prevailed and the title was so amended.

Engrossed Senate Bill No. 371, was read the third time and put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were;

Senators Beck, Bethell, Bird, Boord, Bozeman, Collett, Duncan, Gifford, Gostlin, Holler, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCutchan, McDonald, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Rinear, Schneck, Shiveley, Wishard, Wray, Total, 81.

Engrossed Senate Bill No. 350 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Bozeman, Collett, Cranor, Crumpacker, Ellison, Gifford, Haggard, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, O'Brien, Phares, Rinear, Self, Seller, Shiveley, Wray. Total, 36.

Those voting in the negative were:

Senators Holler, LaFollette, Parker, Stuart, Vail. Total, 5.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 361 was read the third time and put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Barnes, Beck, Bird, Bozeman, Collett, Cranor, Duncan, Ellison, Gifford, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, LaFollette, Leyden, McCord, McDonald, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Rinear, Schneck, Seller, Stuart, Vail, Wray. Total, 34.

Senator Kerns of Vermillion voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.



Engrossed Senate Bill No. 359 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Beck, Bethell, Bird, Bozeman, Collett, Cranor, Duncan, Ellison, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McDonald, McKelvey, McLean, McManus, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Vail, Wray. Total, 35.

None voting in the negative.

So the bill passed.

Senator McLean moved to amend the title of Senate Bill No. 359 as follows:

Amend the title to Senate Bill No. 359 as follows:

An act concerning sewer improvements in cities having less than thirty-five thousand population according to the last preceding United States census, providing how the cost of such sewer improvements may be assessed and paid, and declaring an emergency.

Which motion prevailed and the title was so amended.

Engrossed Senate Bill No. 371, was read the third time and put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were;

Senators Beck, Bethell, Bird, Boord, Bozeman, Collett, Duncan, Gifford, Gostlin, Holler, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCutchan, McDonald, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Rinear, Schneck, Shiveley, Wishard, Wray, Total, 31.

Those voting in the negative were :

Senators Alexander, Baker, Cranor, Ellison, Haggard, Johnston, Parker, Self, Stuart, Vail. Total, 10.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 895 was read the third time.

The question being, Shall be bill pass?

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Bozeman, Collett, Cranor, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Vail, Wishard, Wray. Total, 44.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 165, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 165.

A bill for an act to better regulate and restrict the sale of intoxicating, spirituous, vinous and malt liquors, providing penalties for violation of the same, providing for the enforcement thereof, and providing for remonstrance against the granting of license for the sale of the same, and declaring an emergency.

Read the first time.

Senator Wray moved that the constitutional rule be suspended and that the bill be read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being upon the suspension of the constitutional rule.

Those voting in the affirmative were:

Senators Beck, Ellison, Gifford, Leyden, McDonald, McKelvey, Newby, Parker, Rinear, Wray. Total, 10.

Those voting in the negative were:

Senators Alexander, Baker, Barnes, Bird, Boord, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, McCord, McCutchan, McHugh, McLean, McManus, Manwaring, Mull, O'Brien, Phares, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, Wishard. Total, 36.

So the constitutional rule was not suspended.

The bill was then referred to the Committee on Temperance.

Engrossed House Bill No. 61 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Barnes, Beck, Bird, Boord, Bozeman, Collett, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, Wishard. Total, 38.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 128, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 128, entitled :

An act to establish a Superior Court for the counties of Lake, Porter and Laporte, defining its authority and jurisdiction, providing for the appointment, election, commission and compensation of the Judge thereof, and for Clerk and Sheriff, and compensation of same, and places and times of holding said court, and declaring an emergency.

Read the first time and referred to the Committee on Organization of Courts.

Engrossed House Bill No. 156 was read the second time and passed to the third reading.

Engrossed House Bill No. 157 was read the second time and passed to the third reading.

Senator Wishard offered Senate resolution as follows :

MR. PRESIDENT :

WHEREAS, Section 4982 of the Revised Statutes of 1881 provides that it shall be the duty of the Principal Secretary of the Senate to make a complete calendar of all bills and joint resolutions pending in the Senate, including those which have been

acted upon during the session, to be filed with the State Librarian, and that said Secretary of the Senate shall make and publish in the Senate Journal a full and complete list and index thereto of all bills and joint resolutions which have been acted upon during the session; and the rules of the Senate have required said Secretary to furnish a calendar of bills and joint resolutions pending in the Senate, and to have the same published and laid upon the desk of each Senator every Monday morning, in addition to his regular duties as Secretary of the Senate; and

**WHEREAS**, Section 4988 of the Revised Statutes of 1881 makes it the duty of the Assistant Secretary of the Senate to superintend the printing of, read the proof and properly index all matter in the Journal, and file in the office of the Secretary of State such printed and written copies of such Journal, and said section provides that the Senate shall make proper allowance to said officers for the services enumerated; therefore, be it

*Resolved*, That Rollo B. Oglesbee, Secretary of the Senate, be allowed the sum of four hundred and fifty dollars, and William S. Ennes, Assistant Secretary of the Senate, be allowed the sum of five hundred dollars for the performance of the services above respectively enumerated, and the President of the Senate is hereby authorized to draw his warrants in favor of the above named officers for said sums of moneys, payable out of the funds appropriated for the payment of the expenses of this General Assembly.

Those voting in the affirmative were:

Senators Alexander, Barnes, Beck, Bethell, Bird, Boord, Collett, Cranor, Duncan, Ellison, Gifford, Haggard, Holler, Houghton, Humphreys, Johnston, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Self, Shiveley, Stuart, Vail, Wishard. Total, 38.

None voting in the negative.

So the resolution was adopted.

Senator Wishard introduced the following resolution :

A resolution accepting a gift of Myers' Annotated Revised Statutes of Indiana of 1895 for State use.

In consideration of the tender by the publisher of fifty (50) sets of Myers' Annotated Revised Statutes of Indiana, 3 volumes, including the laws passed at this session of the Assembly and decisions of the courts and index brought down to date of going to press for the use of the State of Indiana.

*Be it resolved by this Senate,* That said tender of said Statutes be accepted with thanks, and that said publisher, George L. Myers, deliver unto the Secretary of State said 50 sets of books as soon after the close of this Assembly as the laws of this session may be published and properly arranged in the order of the sections as adopted by the commissioners in revising the Statutes of 1881. Said books to be furnished to the Judges of the Supreme and Appellate courts, and to other officers entitled thereto by the Secretary of State.

ALBERT W. WISHARD.

Read and referred to the Committee on Judiciary.

Senator Wishard moved that Senate Bill No. 408 be withdrawn from the Committee on Benevolent Institutions and referred to the Committee on Military Affairs.

Which motion prevailed.

Senator Wishard introduced Senate Bill No. 473, entitled :

A bill for an act to authorize the sale of a portion of the lands now used by the Board of Trustees of the Indiana Institution for the Education of the Deaf and Dumb, and for the disposition of the proceeds arising therefrom.

Read the first time and referred to the Committee on Judiciary.

Engrossed Senate Bill No. 344 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Barnes, Bird, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, LaFollette, Leyden, McDonald, McKelvey, McLean, Parker, Rinear, Seller, Stuart.  
Total, 17.

Those voting in the negative were :

Senators Baker, Bethell, Boord, Bozeman, Collett, Cranor, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, McCord, McCutchan, McHugh, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, Wishard. Total, 27.

So the bill failed to pass.

Senator McKelvey moved that Senate Bill No. 273 be referred back to the Committee on Public Health, Vital and Other Statistics, for further amendment.

Which motion prevailed.

Senator Watson introduced Senate Bill No. 474, entitled :

A bill for an act providing for the better management and control of the States Prisons at Michigan City and Jeffersonville, Indiana ; providing for and creating an appointing Board of Directors for each of said prisons and other matters connected therewith, repealing all laws and parts of laws in conflict herewith and declaring an emergency.

Read the first time and referred to the Committee on Prisons.

On motion of Senator Leyden the Senate adjourned.

MORTIMER NYE,

President of the Senate.

WILLIAM S. ENNES,

Assistant Secretary of the Senate.

## WEDNESDAY MORNING.

FEBRUARY 27, 1895.

The Senate convened at 10 o'clock, with Lieutenant-Governor Nye in the chair.

After a portion of the Journal had been read, on motion of Senator McManus the further reading of the same was dispensed with.

The order for engrossment of Senate Bill No. 72, which was given yesterday, was stricken out by order of the Senate.

Special order, Substitute Senate Bill No. 101, was read the second time.

Senator Haggard offered Amendment No. 1, as follows:

MR. PRESIDENT:

I move to amend section 1 of Substitute Senate Bill No. 101, by inserting in line 94, after the word "notice," the following: "by publication in a weekly newspaper of general circulation in each county through which said drainage extends, for at least two weeks, and."

HAGGARD.

Which amendment was adopted.

Senator McCord offered Amendment No. 2, as follows:

MR. PRESIDENT:

I move to amend Senate Bill No. 101 by inserting in line 12 of section 1, the words "one and " after the word "exceed."

McCORD.

Which amendment was adopted.

The bill was ordered engrossed.



Engrossed Senate Bill No. 355 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Beck, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Ellison, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, White, Wishard. Total, 41.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 229 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, Leyden, McCord, McCutchan, McDonald, McKelvey, McLean, McManus, Mull, Parker, Phares, Rinear, Schneck, Shiveley, Stuart, Watson. Total, 34.

Those voting in the negative were:

Senators Beck, LaFollette, McHugh, Manwaring, O'Brien. Total, 5.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 97 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Baker, Beck, Bethell, Bird, Boord, Boyd, Collett, Cranor, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Shiveley, Stuart, Watson, White, Wray. Total, 42

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 587 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Baker, Bethell, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, Manwaring, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White, Wishard. Total, 31.

Those voting in the negative were :

Senators Beck, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, McHugh, McKelvey, McLean, Parker, Rinear, Stuart, Wray. Total, 13.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The following message was received from the House :

**MR. PRESIDENT :**

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 54, House Bills Nos. 318, 339, 291, 47, 91, 68, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

**Engrossed House Bill No. 318 :**

A bill for an act concerning highways, the vacation of certain parts thereof, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

**Engrossed House Bill No. 339 :**

A bill for an act to provide for the settlement of guardianships between guardians and their wards, or other persons entitled, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

**Engrossed House Bill No. 291 :**

An act to amend section one of an act relating to the employment of teachers by Township Trustees, approved February 27, 1883.

Read the first time and referred to the Committee on Education.

**Engrossed House Bill No. 47 :**

A bill for an act entitled an act for the relief of James Fisk from unjust and double taxes, and declaring an emergency.

Read the first time and referred to the Committee on Finance.

## Engrossed House Bill No. 91 :

A bill for an act to amend section one hundred and seventy-seven (177) of an act entitled "An act concerning proceedings in civil cases," approved April 7, 1881, and being section 1147 of the Revised Statutes of 1881, and declaring an emergency.

Read the first time and referred to the Committee on the Organization of Courts.

## Engrossed House Bill No. 68. •

An act concerning the taxation of real estate incumbered by mortgage, and declaring an emergency.

Read the first time and referred to the Committee on Finance.

Senate Bill No. 195 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gostlin, Haggard, Houghton, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, White, Wray. Total, 42.

Those voting in the negative were :

Senators Gifford, Holler, Humphreys, Johnston. Total, 4.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 15 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Beck, Bird, Boord, Boyd, Boze-  
man, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford,  
Gostlin, Holler, Houghton, Humphreys, Johnston, Kern of  
Marion, Kerns of Vermillion, LaFollette, Leyden, McCord,  
McCutchan, McHugh, McKelvey, McLean, McManus, Mull,  
Newby, O'Brien, Parker, Phares, Rinear, Schneck, Stuart, Vail,  
Watson, White, Wishard, Wray. Total, 41.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 156, the consideration of which  
was made a special order for this hour, was now taken up.

The bill was read the third time.

The President of the Senate made the following ruling:

In my opinion the enactment of the bill would be in viola-  
tion of the Constitution of this State, and hence I rule that it  
is not in order.

Senator Wishard appealed from the decision of the Chair.

The question being, Shall the decision of the Chair be sus-  
tained?

Those voting in the affirmative were:

Senators Alexander, Barnes, Beck, Bird, Ellison, Gifford,  
Humphreys, Johnston, Kern of Marion, Leyden, McDonald,  
McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart,  
Wray. Total, 19.

Those voting in the negative were :

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White, Wishard. Total, 30.

So the decision of the Chair was not sustained.

The question being, Shall the bill pass ?

Those voting in the affirmative were :

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White, Wishard. Total, 30.

Those voting in the negative were :

Senators Alexander, Barnes, Beck, Bird, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Sweeney, Wray. Total, 20.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senator Wishard offered the following resolution :

MR. PRESIDENT :

I move that the Doorkeeper be instructed to see that all persons not members or officers of the Senate be denied the privileges of the floor of the Senate.

A. W. WISHARD.

Which resolution was adopted.

Engrossed Senate Bill No. 419 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Beck, Bethell, Bird, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McManus, Manwaring, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Watson, White, Wishard, Wray. Total, 44.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Substitute Senate Bill No. 158 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were;

Senators Alexander, Baker, Beck, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McManus, Manwaring, Mull, O'Brien, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Watson, White, Wishard, Wray, Total, 41.

Senators LaFollette, Parker, and Vail voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 119 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Leyden, McCutchan, McDonald, McLean, Manwaring, Mull, Newby, O'Brier, Phares, Schneck, Shiveley, Vail, Watson, White, Wishard, Wray. Total, 29.

Those voting in the negative were:

Senators Alexander, Barnes, Beck, Bird, Gifford, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, McHugh, McKelvey, McManus, Parker, Rinear, Seller, Stuart, Sweeney. Total, 18.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 290 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Beck, Bird, Boord, Bozeman, Cranor, Crumpacker, Gifford, Gostlin, Haggard, Holler, Houghton, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCutchan, McHugh, McLean, McManus, Mull, O'Brien, Phares, Schneck, Self, Shiveley, Stuart, Watson, Wishard, Wray. Total, 32.

Those voting in the negative were:

Senators Barnes, Bethell, Boyd, Collett, Duncan, Humphreys, McDonald, Manwaring, Parker, Rinear, Seller, Vail. Total, 12.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.



Senator Vail, Chairman of the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills, to which was referred Senate Enrolled Bills Nos. 209, 106 and 81, begs leave to report that it has compared the enrolled bills with the bills as passed by the Senate and finds the same to be correct.

VAIL,  
Chairman.

The following was received from the President of the Senate :

*To the Senate :*

I have signed Enrolled Senate Bill No. 81, Enrolled Senate Bill No. 209 and Enrolled Substitute Senate Bill No. 106.

MORTIMER NYE,  
President of the Senate.

The Committee on Enrolled Bills made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills, to which was referred Senate Enrolled Concurrent Resolution No. 20, introduced by Senator Duncan, begs leave to report that it has compared the enrolled concurrent resolution with the concurrent resolution as passed by the Senate, and finds the same to be correct.

L. W. VAIL,  
Chairman.

The Lieutenant-Governor made the following report :

*To the Senate :*

I have signed Concurrent Resolution No. 20.

MORTIMER NYE,  
President of the Senate.

Engrossed Senate Bill No. 847 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Barnes, Beck, Bethell, Bird, Boord, Boyd, Collett, Crumpacker, Duncan, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White. Total, 43.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The President of the Senate made the following report:

*To the Senate:*

I have signed Enrolled House Bill No. 812.

MORTIMER NYE,  
President of the Senate.

Senator McCutchan offered the following resolution:

MR. PRESIDENT:

A large number of the survivors of the Mexican War are in session in this city; therefore,

*Resolved*, That they be invited to visit the Senate at 4 o'clock p. m., and that proper courtesies be extended to the veterans.

McCUTCHAN.

The resolution was adopted.

The President appointed on reception of the veterans Senators McCutchan and McLean.

Senator McLean introduced Senate Bill No. 475, entitled :

An act for the reorganization and government of cities having more than thirty thousand and less than thirty-five thousand population, according to the last preceding United States census, and matters connected therewith, and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

Senator Haggard offered the following resolution :

RESOLUTION.

WHEREAS, By the death Col. J. B. Bachelder there is a vacancy in the National Gettysburg Commission and in the Department of Historian; and,

WHEREAS, It is the wish of many soldiers and others that the position of Commissioner and Historian be conferred upon Colonel Edward Hill, late of the 16th Michigan Voluntary Infantry; and,

WHEREAS, Said Colonel Edward Hill is a gentleman of culture and ability, a gallant soldier who participated in the battle of Gettysburg with credit and honor, and whose regiment held the position at Little Round Top, and who holds the "medal of honor" for gallant services on the field of battle, and who is eminently fitted by education, experience and extended acquaintance with veterans, both North and South, to fill said position; therefore,

*Be it resolved*, That the Senate of the State of Indiana unite in endorsing the candidacy of Colonel Hill and request the Honorable, the Secretary of War, to appoint him to the position named; and,

*Be it further resolved*, That a copy of these resolutions be forwarded to the Secretary of War, and also that a copy be forwarded to Colonel Hill.

Which resolution was adopted.

Senator Holler introduced Senate Bill No. 476, entitled :

A bill for an act entitled an act to amend article 13 of section 1 of an act entitled an act to amend section 53 of an act entitled an act to repeal all general laws now in force for the incorporation of cities and providing for the incorporation of cities, and prescribing the powers and rights and the manner in which they shall exercise the same, and regulating such other matters as properly pertain thereto, approved March 14, 1867, and declaring an emergency, approved March 10, 1873, said amended section being article 13 of section 3106 of the Revised Statutes of 1881.

Read the first time and referred to the Committee on Temperance.

By request Senator Sweeney introduced Senate Bill No. 477, entitled :

A bill for an act prohibiting corporations and their agents and employes engaged in mining and manufacturing from engaging in mercantile pursuits therewith, fixing penalties for a violation of this act, and matters properly connected therewith.

Read the first time and referred to the Committee on Corporations.

By request Senator Sweeney introduced Senate Bill No. 478, entitled :

A bill entitled an act to amend section one of an act entitled an act to amend sections one and two of an act entitled "An act appropriating moneys to pay amounts due members of the Indiana Legion and of independent companies of militia and minute men for services rendered under orders of the Governor during the Rebellion, approved March 5, 1881, and declaring an emergency, approved Jan. 18, 1883, and declaring an emergency; approved April 8, 1885, and repealing all laws and parts of laws in conflict with this act.

Read the first time and referred to the Committee on Military Affairs.

The Committee on Prisons made the following reports :

MR. PRESIDENT :

Your Committee on Prisons, to which was referred Senate Bill No. 474, introduced by Senator Watson, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

W. H. WATSON,  
Chairman.

MR. PRESIDENT :

A minority of your Committee on Prisons, to which was referred Senate Bill No. 474, introduced by Senator Watson, begs leave to report the same back to the Senate, with the recommendation that it be indefinitely postponed.

McDONALD,  
McKELVEY.

The question being, Shall the minority report be substituted for the majority report ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Beck, Bird, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stewart, Sweeney, Wray. Total, 19.

Those voting in the negative were :

Senators Baker, Bethel, Boord, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Schneek, Self, Shiveley, Vail, Watson, White, Wishard. Total, 29.

So the minority report was not substituted.

The majority report was adopted.

The consideration of Engrossed House Bill No. 157 having been made a special order for this hour, was now taken up.

The Lieutenant-Governor made the following ruling:

"It is my opinion that the passage of this Legislative Apportionment Bill is in violation of the Constitution of the State of Indiana, and that the same would be absolutely void for such reason. I therefore decide that the same can not be lawfully enacted at the present session of the Legislature."

Senator Wishard appealed from the decision of the Chair.

The question being, Shall the decision of the Chair stand as the decision of the Senate?

Those voting in the affirmative were:

Senators Alexander, Beck, Bird, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Sweeney, Wray. Total, 18.

Those voting in the negative were:

Senators Baker, Bethell, Boord, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Manwaring, Mull, Newby, O'Brien, Schneck, Self, Shiveley, Vail, Watson, Wishard. Total, 26.

So the decision of the Chair was not sustained.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White, Wishard. Total, 30.

Those voting in the negative were:

Senators Alexander, Barnes, Beck, Bird, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Sweeney, Wray. Total, 20.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The following communication was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 622, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 622, entitled:

A bill for an act dividing the State of Indiana into Congressional districts, naming the counties constituting each district, and repealing all laws and parts of laws in conflict therewith.

Read the first time and referred to the Committee on Congressional Apportionment.

Senator Wishard introduced Senate Bill No. 479, entitled:

An act concerning the election of School Commissioners in cities of one hundred thousand or more inhabitants, providing for fixing the boundaries of election precincts, prescribing the method of holding elections therein, and declaring an emergency.

Read the first time and referred to the Committee on Affairs of the City of Indianapolis.

On motion of Senator Newby, the Senate adjourned.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.

## THURSDAY MORNING.

FEBRUARY 28, 1895.

The Senate convened at 10 o'clock, with the Lieutenant-Governor in the chair.

Prayer was offered by the Rev. Mary M. Dennis, of the East Park M. E. Church.

After a portion of the Journal had been read, on motion of Senator Boord the further reading of the same was dispensed with.

Engrossed Senate Bill No. 231 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Baker, Beck, Bethell, Bird, Boyd, Bozeman, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Holler, Houghton, Humphreys, Johnston, Kerns of Vermillion, LaFollette, McCord, McDonald, McKelvey, McLean, McManus, Manwaring, Mull, Newby, Parker, Phares, Rinear, Schneck, Seller, Shiveley, Stuart, Vail, Watson, White, Wishard, Wray. Total, 39.

Those voting in the negative were :

Senators Kern of Marion, Leyden, Self. Total, 3.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senator Vail, Chairman of the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills, to which was referred Senate Enrolled Bill No. 54, introduced by Senator Parker, begs leave to report that they have compared the enrolled bill with the bill as passed by the Senate and finds the same to be correct.

VAIL,  
Chairman.



The following message was received from the House:

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution No. 18.

Senate Bills 48, 128, 129 and House Bills 805 and 106, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 305 :

A bill for an act providing for the incorporation of farmers' and citizens' voluntary associations for the purpose of insuring live stock, and declaring an emergency.

Read the first time and referred to the Committee on Insurance.

Engrossed House Bill No. 106 :

A bill for an act to provide for the publication, distribution and preservation of the reports and papers of the Indiana Academy of Science.

Read the first time and referred to the Committee on Education.

Engrossed House Bill No. 57 was read the third time.

The question being, Shall the bill pass?

Senator Newby demanded the previous question. The Senate refused to second the demand.

After the bill had been discussed by the Senate, the roll was called on the passage of the bill.

Those voting in the affirmative were :

Senators Baker, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Johnston, Kerns of Vermillion, LaFollette, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Schneck, Self, Shiveley, Vail, Watson, White. Total, 32.

Those voting in the negative were:

Senators Alexander, Beck, Bethell, Bird, Ellison, Gifford, Houghton, Humphreys, Kern of Marion, Leyden, Seller, Stuart, Sweeney, Wishard, Wray. Total, 15.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 373 was read the third time.

Senator Collett demanded the previous question.

The Senate seconded the demand.

The question being, Shall the main question be now put?

Those voting in the affirmative were:

Senators Baker, Bethell, Boord, Boyd, Collett, Cranor, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White, Wishard, Wray. Total, 29.

These voting in the negative were:

Senators Bird, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, McDonald, McHugh, McKelvey, McLean, Parker, Seller, Stuart, Sweeney. Total, 14.

So the main question was ordered.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Bethell, Boord, Boyd, Collett, Cranor, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White, Wishard, Wray. Total, 28.

Those voting in the negative were :

Senators Bird, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, McDonald, McHugh, McKelvey, McLean, Parker, Sweeney. Total, 12.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 101 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Bethell, Bozeman, Collett, Crumpacker, Duncan, Ellison, Gostlin, Haggard, Holler, Humphreys, Johnston, Kerns of Vermillion, LaFollette, McCord, McCutchan, McLean, McManus, Mull, O'Brien, Parker, Phares, Self, Seller, Shiveley, Watson, White, Wishard. Total, 27.

Those voting in the negative were :

Senators Baker, Beck, Bird, Boyd, Cranor, Gifford, McDonald, McHugh, Manwaring, Stuart, Sweeney, Vail, Wray. Total, 18.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 379 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Baker, Bethell, Bird, Boyd, Bozeman, Collett, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Holler, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Watson, White, Wishard. Total, 88.

Those voting in the negative were :

Senators Beck, Wray. Total, 2.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 498 and 687 and Senate Bill No. 142 with Engrossed House amendment, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 498 :

A bill for an act to prohibit the assessment to the adjacent property holder of real estate occupied by any railroad company or public highway, repealing all laws in conflict therewith, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 687 :

A bill for an act to fix the salaries of the Judges of the Criminal Courts of this State, and to provide for the time and manner of payments and to repeal all laws in conflict therewith, and declaring an emergency.

Read the first time and referred to the Committee on the Affairs of the City of Indianapolis.

## Engrossed House Amendment to Senate Bill No. 142 :

MR. SPEAKER :

Your Committee on Affairs of the City of Indianapolis, to which was referred Senate Bill No. 142, introduced by Mr. Stuart, of Marion County, the same being a bill for an act entitled : " An act providing that Circuit Courts may authorize employment of clerical assistants by probate Commissioners, fixing in what manner such assistants shall be paid, and declaring an emergency, begs leave to report the same back to the House with the recommendation that said bill be amended as follows :

By inserting after the word "determine," in line 18 of section 1, the following words : " *Provided*, That not more than fifteen dollars (\$15) per week, for time actually required, shall be expended for such clerical service."

W. H. LEEDY,

Chairman.

Senator Kern, of Marion, moved that the Engrossed House Amendments to Senate Bill No. 142 be concurred in.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Beck, Bird, Collett, Cranor, Crumpacker, Gifford, Gostlin, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, Leyden, McCord, McCutchan, McDonald, McKelvey, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, Wray. Total, 35.

None voting in the negative.

So the amendment was adopted.

The following message was received from the Governor :

INDIANAPOLIS, IND., February 28, 1895.

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has signed Senate Enrolled Bill No. 6, an act concerning employes of the Senate; also Senate Bill No. 22, an act concerning highways; also Bill No. 209, an act to legalize the incorporation of the town of Grand View, Spencer County; also Bill No. 254, an act to legalize the records and action of the Common Council of the city of Lebanon in certain matters; also Senate Bill No. 58, an act to establish a Superior Court in Madison County, and Senate Concurrent Resolution No. 20.

Respectfully,

MYRON D. KING,  
Private Secretary.

The following was received from the President of the Senate:

*To the Senate:*

I have signed Senate Enrolled Act No. 54.

MORTIMER NYE,  
President of Senate.

Senator Gifford asked leave of absence for Senator Barnes on account of sickness, which was granted.

Engrossed Senate Bill No. 352 was read the third time.

By unanimous consent the bill was recommitted to the author for amendment.

Engrossed Senate Bill No. 251 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Beck, Bethell, Bird, Bozeman, Cranor, Gifford, Gostlin, Haggard, Johnston, Leyden, McCutchan, McDonald, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Seller, Shiveley, Watson, Wray.  
Total, 26.

Those voting in the negative were :

Senators Crumpacker, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, Manwaring, Schneck, Stuart, Vail. Total, 9.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 349 was read the third time :

Senator Haggard moved to recommit the bill to the Committee on Federal Relations.

Those voting in the affirmative were :

Senators Beck, Ellison, Haggard, Humphreys, Johnston, Kerns of Vermillion, LaFollette, McCord, McCutchan, McDonald, McKelvey, Newby, Phares, Rinear, Schneck, Self, Seller, Stuart, Sweeney, Vail, Watson, White. Total, 22.

Those voting in the negative were :

Senators Baker, Bethel, Bozeman, Cranor, Gifford, Houghton, Kern of Marion, Leyden, McHugh, McLean, McManus, Manwaring, Mull, Parker, Wray. Total, 15.

So the motion prevailed.

Engrossed Senate Bill No. 392 was read the third time.

The question being, Shall the bill pass ?

Those voting in the affirmative were :

Senators Baker, Beck, Bethell, Bird, Bozeman, Collett, Cranor, Crumpacker, Ellison, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Stuart, Sweeney, Vail, Watson, White. Total, 40.

Senator Seller voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 340 was read the third time.

Senator Shiveley moved that the bill be referred to the author for amendment, with instructions to report not later than two o'clock to-morrow afternoon.

Which motion prevailed.

Engrossed Senate Bill No. 49 was read the third time.

Senator Ellison made the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 49 be referred to the author to amend by inserting these words, "Or who have been abandoned by either father or mother and have no means of support," after the word "them" in line 24, clause 3 of section 1.

ELLISON.

Which motion prevailed.

Senator Ellison reported that he had amended the bill as directed by the Senate.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Baker, Beck, Bethell, Boyd, Bozeman, Collett, Cranor, Duncan, Ellison, Gostlin, Haggard, Houghton, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McLean, McManus, Manwaring, Mull, O'Brien, Phares, Schneck, Self, Shiveley, White, Wishard, Wray. Total, 29.

Those voting in the negative were :

Senators Bird, Humphreys, Johnston, McHugh, McKelvey, Parker, Rinear, Seller, Stuart, Sweeney, Vail. Total, 11.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.



Engrossed Senate Bill No. 292 was read the third time.

Senator Haggard asked unanimous consent to amend the bill as follows :

Insert after the word "Trustees" in line 10 the words, "as may be selected by the Governor himself."

Unanimous consent was given and the bill was so amended.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Baker, Beck, Bethell, Boord, Boyd, Collett, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McLean, McManus, Manwaring, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Self, Shiveley, Sweeney, Vail, Watson, White, Wishard, Wray. Total, 88.

Those voting in the negative were :

Senators Alexander, Bird, Cranor, Johnston, Kern of Marion, Stuart. Total, 6.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 864 was read the third time.

Senator Cranor was given unanimous consent to make the following motion :

MR. PRESIDENT :

I move that Engrossed Senate Bill No. 344 be referred to a committee of one to make the following amendment :

In section 1, line 1, after the word "that," insert "in towns and cities having a population less than thirty-five thousand, according to the United States census of 1890."

The committee reported as follows :

MR. PRESIDENT :

Your committee, which was directed to amend section 1 of Engrossed Senate Bill No. 364, begs leave to report that said amendment has been made as directed.

The question being, Shall the bill pass ?

Those voting in the affirmative were :

Senators Alexander, Baker, Beek, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Duncan, Gifford, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDold, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Self, Shiveley, Sweeney, Vail, Watson, White, Wishard, Wray. Total, 42.

None voting in the negative.

So the bill passed.

Senator Cranor made the following motion :

MR. PRESIDENT :

I move that there be added to the title of the bill the words "and declaring an emergency."

Which motion prevailed.

The title of the bill as amended was ordered to stand as the title to the act.

Engrossed Senate Bill No. 311 was read the third time.

The question being, Shall the bill pass ?

Those voting in the affirmative were :

Senators Alexander, Baker, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Crumpacker, Gostlin, Haggard, Holler, Houghton, Johnston, Kern of Marion, Kerns of Vermillion, Leyden, McCord, McCutchan, McHugh, McKelvey, McLean, Mull, Newby, Parker, Phares, Rinear, Schneck, Self, Seller, Stuart, Vail, Watson, White, Wishard, Wray. Total, 37.

Those voting in the negative were :

Senators Ellison, Gifford, Humphreys, LaFollette, McDonald, McManus, Manwaring, O'Brien, Shiveley, Sweeney. Total, 10.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The Committee on Enrolled Bills made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills, to which was referred Enrolled Senate Bills Nos. 128, 49 and 129, begs leave to report that they have compared the enrolled bills with the bills as passed by the Senate, and find the same to be correct.

VAIL,  
Chairman.

The following was received from the President of the Senate :

*To the Senate :*

I have signed Enrolled Senate Bills Nos. 48, 128 and 129, and Enrolled House Bills Nos. 184, 28, 434, 261, 341 and 61.

MORTIMER NYE,  
President of the Senate.

Engrossed Senate Bill No. 269 was read the third time.

The question being, Shall the bill pass ?

Those voting in the affirmative were :

Senators Alexander, Baker, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, O'Brien, Parker, Phares, Rinear, Schneek, Self, Seller, Shiveley, Stuart, Vail, Watson, White, Wray. Total, 45.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 444 was read a third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Beck, Bethell, Bird, Boord, Bozeman, Cranor, Duncan, Ellison, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Rinear, Self, Seller, Shiveley, Stuart, Vail, Watson, White, Wishard, Wray. Total, 40.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 284 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Beck, Bethell, Bird, Boyd, Bozeman, Collett, Duncan, Ellison, Gifford, Gostlin, Holler, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, White, Wishard, Wray. Total, 42.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 210 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Beck, Bethell, Bird, Boord, Bozeman, Cranor, Crumpacker, Duncan, Ellison, Gifford, Holler, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McKelvey, McLean, McManus, Manwaring, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Watson, White, Wishard, Wray. Total, 40. •

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senator Boyd moved that when the Senate adjourned it be until 8 o'clock to-night.

Senator Shiveley called for the ayes and noes.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Baker, Bethell, Boyd, Bozeman, Collett, Cranor, Crumpacker, Ellison, Gostlin, Holler, Houghton, Humphreys, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Manwaring, Mull, O'Brien, Phares, Schneck, Self, Shiveley, Watson, White, Wishard. Total, 27.

Those voting in the negative were:

Senators Alexander, Beck, Bird, Duncan, Gifford, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Wray. Total, 17.

So the motion prevailed. •

On motion of Senator Leyden the Senate adjourned.

## THURSDAY EVENING.

FEBRUARY 28, 1895.

The Senate convened at 8:15 P. M., with Lieutenant-Governor Nye in the chair.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bills 46, 131, 266, 686 and 630, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,

Clerk.

Engrossed House Bill No. 46, entitled :

A bill for an act to amend section one (1) of an act entitled an act to amend section 53 of an act entitled an act to repeal all general laws now in force for the incorporation of cities, and providing for the incorporation of cities, and prescribing the powers and rights, and the manner in which they shall exercise the same, and regulating such other matters as properly pertain thereto, approved March 18, 1867, and declaring an emergency, approved March 10, 1873, said amended section being section 3106 of the Revised Statutes of 1881.

Read the first time and referred to the Committee on Cities and Towns.

Engrossed House Bill No. 266, entitled :

A bill for an act to legalize certain ordinances and proceedings of the Common Council of the city of Indianapolis, and declaring an emergency.

Read the first time and referred to the Committee on the Affairs of the City of Indianapolis.

Engrossed House Bill No. 686, entitled :

A bill for an act concerning the election of School Commissioners in cities of one hundred thousand or more inhabitants, providing for fixing the boundaries of election precincts, prescribing the method of holding elections therein, and declaring an emergency.

Read the first time and referred to the Committee on Affairs of the City of Indianapolis.

Engrossed House Bill No. 181, entitled :

A bill for an act to amend section twelve (12) of an act entitled "An act to provide for the incorporation of Street Railroad Companies," approved June 4, 1861, being section 4154 of the Revised Statutes of 1881.

Read the first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 680, entitled :

A bill for an act to authorize Boards of County Commissioners of counties where the plans and specifications for the construction of Court Houses were adopted, and such construction was determined upon, according to such plans and specifications, prior to the first day of February, 1895, to issue and sell bonds not exceeding one and one-half per centum on the assessed valuation of the taxable property of such counties, for the purpose of raising funds to construct such Court Houses, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Baker, Chairman of the Committee on Revision of the Constitution, made the following report :

MR. PRESIDENT :

Your Committee on Revision of the Constitution, to which was referred Engrossed House Joint Resolution, introduced by Mr. Dinwiddie, begs leave to report the same back to the Senate with the recommendation that the same be adopted.

O. A. BAKER,  
Chairman.

Which report was concurred in.

The Committee on Revision of the Constitution made the following report:

MR. PRESIDENT:

Your Committee on Revision of the Constitution, to which was referred Engrossed House Joint Resolution No. 3, introduced by Mr. Cardwill, begs leave to report the same back to the Senate, with the recommendation that the further consideration thereof be indefinitely postponed.

O. A. BAKER,  
Chairman.

The question being on the adoption of the report.

Those voting in the affirmative were:

Senators Alexander, Baker, Beck, Bird, Boyd, Bozeman, Crumpacker, Cranor, Houghton, Humphreys, LaFollette, Leyden, McCutchan, O'Brien, Parker, Phares, Schneck, Vail, Wishard. Total, 19.

Those voting in the negative were:

Senators Bethell, Boord, Collett, Gifford, Haggard, Holler, Johnston, Kern of Marion, Kerns of Vermillion, McCord, McKugh, McLean, Mull, Rinear, Self, Shiveley, Stuart, Sweeney, Watson. Total, 19.

So the report was not concurred in.

The question being on the adoption of the resolution.

Those voting in the affirmative were:

Senators Bethell, Boord, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gifford, Haggard, Holler, Johnston, Kern of Marion, Kerns of Vermillion, McCord, McHugh, McManus, Mull, Parker, Phares, Rinear, Self, Shiveley, Stuart, Watson, White. Total, 25.

Those voting in the negative were:

Senators Alexander, Baker, Beck, Boyd, Houghton, Humphreys, LaFollette, Leyden, McCutchan, McLean, O'Brien, Schneck, Vail, Wishard. Total, 14.

So the resolution failed to pass for the want of a constitutional majority.



Senator Baker, Chairman of the Committee on the Revision of the Constitution, made the following report :

MR. PRESIDENT :

Your Committee on the Revision of the Constitution, to which was referred Joint Resolution No. 4, introduced by Senator Kern by request, begs leave to report the same back to the Senate, with the recommendation that the further consideration thereof be indefinitely postponed.

A. O. BAKER,  
Chairman.

The question being on the adoption of the report of the committee.

Senators Gifford and Boyd demanded the ayes and noes.

Those voting in the affirmative were :

Senators Alexander, Baker, Bethell, Bird, Boord, Boyd, Bozeman, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, McCutchan, McManus, Mull, O'Brien, Parker, Schneck, Shiveley, Wishard. Total, 22.

Those voting in the negative were:

Senators Beck, Collett, Gifford, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McHugh, McLean, Phares, Rinear, Self, Stuart, Vail, Watson. Total, 18.

So the report was concurred in.

. The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 628, 825, 477, 891, and Senate Bill No. 207, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

**Engrossed House Bill No. 628, entitled :**

A bill for an act to correct the enrollment of "An act fixing the compensation and prescribing the duties of certain State and county officers and providing penalties for the violation of its provisions," passed notwithstanding the objections of the Governor thereto, March 9, 1891.

Read the first time and referred to the Committee on Fees and Salaries.

**Engrossed House Bill No. 825, entitled :**

A bill for an act to repeal an act entitled "An act to enroll the late soldiers, their widows and orphans of the armies of the United States residing in the State of Indiana," approved April 13, 1885; also to repeal an act entitled "An act to amend section 4 of an act entitled an act to enroll the late soldiers, their widows and orphans of the armies of the United States residing in the State of Indiana," approved April 13, 1885, approved March 11, 1889, and declaring an emergency.

Read the first time and referred to the Committee on Military Affairs.

**Engrossed House Bill No. 477, entitled :**

A bill for an act to legalize the incorporation of the town of Ossian, Wells County, Indiana, and to legalize the election and official acts of the Board of Trustees and other officers of said town, and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

**Engrossed House Bill No. 391, entitled :**

An act to amend an act entitled, "An act to amend section 114 of an act entitled an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith and prescribing the fees for certain officers therein named, and the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein

prescribed, approved March 6, 1865, repealing all acts in conflict therewith, and declaring an emergency," approved March 3, 1893, and declaring an emergency.

Read the first time and referred to the Committee on Education.

Senator Watson offered the following resolution :

MR. PRESIDENT:

*Resolved*, That the Assistant Secretary be authorized to draw his warrant in favor of W. H. Watson for the following sums on account of Southern Prison and Northern Prison Investigation Committees for expenses of Senate Committees in the investigation of the affairs of the State prisons as follows :

INDIANAPOLIS, IND., February 28, 1895.

State of Indiana to Senate Prison Com., Dr.

To Louisville Hotel.....	\$45 95
To Grand Pacific.....	12 00
To T. Taggart, lunch.....	27 55
To Hotel Vreelan.....	34 60
To railroad fare.....	23 20
To C. F. Carpenter, stenographer.....	7 50
To Miss Mary B. Harris, stenographer.....	17 75
To A. F. Earl, livery.....	8 00
To incidental expenses.....	26 50
To W. H. Watson, incidental expenses.....	20 00
To A. W. Wishard, incidental expenses.....	20 00
To J. E. McDonald, incidental expenses.....	20 00
To L. Schneck, incidental expenses.....	10 00
To W. H. Gostlin, incidental expenses.....	10 00
To S. R. McKelvey, incidental expenses.....	10 00
To L. W. Vail, incidental expenses.....	10 00
To I. P. Leyden, incidental expenses.....	10 00
To Sam'l Parker, incidental expenses.....	10 00
Total.....	<hr/> \$323 05

We, the committee, hereby certify that the foregoing account is correct and that said expenses were reasonable and necessary for the investigation of said prisons.

W. H. WATSON,  
Chairman.

The question being upon the adoption of the resolution.

Those voting in the affirmative were :

Senators Alexander, Baker, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McHugh, McLean, McManus, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Self, Shiveley, Stuart, Vail, Watson, White, Wishard. Total, 42.

None voting in the negative.

So the resolution was adopted.

The Committee on Finance made the following report :

MR. PRESIDENT :

Your Committee on Finance, to which was referred House Bill No. 47, introduced by Mr. Moore, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

HAGGARD,  
Chairman.

Which report was concurred in.

The Judiciary Committee made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred House Bill No. 442, introduced by Mr. Robinson, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

The Committee on Judiciary made the following report :

**MR. PRESIDENT :**

Your Committee on Judiciary, to which was referred House Bill No. 397, introduced by Mr. Robinson, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

**MR. PRESIDENT :**

Your Committee on Judiciary, to which was referred House Bill No. 389, introduced by Mr. Statesman, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

The Committee on Judiciary made the following report :

**MR. PRESIDENT :**

Your Committee on Judiciary, to which was referred House Bill No. 89, introduced by Mr. Gregg, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

**MR. PRESIDENT :**

Your Committee on Judiciary, to which was referred House Bill No. 269, introduced by Mr. Statesman, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

The Committee on Judiciary made the following report:

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 470, introduced by Senator Parker, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 478, introduced by Senator Wishard, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

The Committee on Judiciary made the following report:

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 454, introduced by Senator Seller, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 272, introduced by Senator Seller, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

The Committee on Judiciary made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 321, introduced by Senator Parker, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 448, introduced by Senator Collett, begs leave to report the same back to the Senate, with the recommendation that section 8 be stricken out, and when so amended that the bill do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 240, introduced by Senator Boord, begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

The report was concurred in.

The Committee on Judiciary made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 406, introduced by Senator Seller, begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill for indefinitely postponed.

L. P. NEWBY,

Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report.

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 190, introduced by Senator Seller, begs leave to report the same back to the Senate, with the recommendation that it be amended as follows: By striking out the word "sixteen" in line 6 of section one (1) and insert in lieu thereof the word "five".

By striking out the word "twenty" in line 5 of section one (1), and insert, in lieu thereof, the word "fifteen."

By inserting after the word "binding," in line 8 of said section, the following words, to wit: "to wit: Five hundred in leather and fourteen thousand and five hundred," and by striking out the word "seventeen," in line 34, section 3, and insert, in lieu thereof, the word "twelve," and that when the bill is so amended that the same do pass.

L. P. NEWBY,

Chairman.

The report was concurred in.



The Committee on Judiciary made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 469, introduced by Senator Kern, begs leave to report the same back to the Senate with the recommendation that said bill do pass.

L. P. NEWBY,  
Chairman.

The report was concurred in.

The Committee on Judiciary made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 336, introduced by Senator Phares, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 173, introduced by Senator Humphreys, begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 451, introduced by Senator Newby, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 166, introduced by Senator Alexander, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 304, introduced by Senator Seller, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 463, introduced by Senator Stuart, begs leave to report the same back to the Senate, with the recommendation that the same be printed.

L. P. NEWBY,  
Chairman.

The report was concurred in.

The Committee on Judiciary made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 48, introduced by Senator Boyd, begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

The report was concurred in.

Senator Newby, Chairman of the Committee on Judiciary, made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred Senate Bill No. 167, introduced by Senator Alexander, begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

The Committee on Swamp Lands and Drains made the following report :

MR. PRESIDENT :

Your Committee on Swamp Lands and Drains, to which was referred House Bill No. 230, introduced by Mr. Adams of Parke, begs leave to report the same back to the Senate with the recommendation that the same do pass.

ISAAC PHARES,  
Chairman.

Which report was concurred in.

Senator Phares, Chairman of the Committee on Swamp Lands and Drains, made the following report:

MR. PRESIDENT:

Your Committee on Swamp Lands and Drains, to which was referred Senate Bill No. 433, introduced by Senator Wray, begs leave to report the same back to the Senate with the recommendation that the same do pass.

ISAAC H. PHARES.

The report was concurred in.

Senator Phares, Chairman of the Committee on Swamp Lands and Drains, made the following report.

MR. PRESIDENT:

Your Committee on Swamp Lands and Drains, to which was referred Senate Bill No. 396, introduced by Senator McCutchan, begs leave to report the same back to the Senate with the recommendation that the same do pass.

ISAAC H. PHARES,

Chairman.

Which report was concurred in.

Senator Phares, Chairman of the Committee on Swamp Lands and Drains, made the following report:

MR. PRESIDENT:

Your Committee on Swamp Lands and Drains, to which was referred Senate Bill No. 310, introduced by Senator McLean, begs leave to report the same back to the Senate with the recommendation that the same do pass.

ISAAC H. PHARES,

Chairman.

Which report was concurred in.

Senator Phares, Chairman of the Committee on Swamp Lands and Drains, made the following report :

MR. PRESIDENT :

Your Committee on Swamp Lands and Drains, to which was referred Senate Bill No. 484, introduced by Senator Phares, begs leave to report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

ISAAC H. PHARES,  
Chairman.

The report was concurred in.

The Committee on Swamp Lands and Drains made the following report :

MR. PRESIDENT :

Your Committee on Swamp Lands and Drains, to which was referred Senate Bill No. 400, introduced by Senator Phares, begs leave to report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

ISAAC H. PHARES,  
Chairman.

The report was concurred in.

The Committee on the Affairs of the City of Indianapolis made the following report :

MR. PRESIDENT :

Your Committee on the Affairs of the City of Indianapolis, to which was referred Senate Bill No. 479, introduced by Senator Wishard, begs leave to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

A. W. WISHARD,  
Chairman.

Which report was concurred in.

The Committee on Affairs of the City of Indianapolis made the following report :

MR. PRESIDENT :

Your Committee on the Affairs of the City of Indianapolis, to which was referred House Bill No. 636, introduced by Mr. Van Arsdell, begs leave to report the same back to the Senate with the recommendation that the bill do pass.

A. W. WISHARD,  
Chairman.

Which report was concurred in.

The Committee on the Affairs of the City of Indianapolis made the following report :

MR. PRESIDENT :

Your Committee on the Affairs of the City of Indianapolis, to which was referred House Bill No. 266, introduced by Mr. Leedy, begs leave to report the same back to the Senate with the recommendation that the bill do pass.

A. W. WISHARD,  
Chairman.

Which report was concurred in.

Senator Wishard, Chairman of the Committee on Affairs of the City of Indianapolis, made the following report :

MR. PRESIDENT :

Your Committee on the Affairs of the City of Indianapolis, to which was referred House Bill No. 637, introduced by Mr. Leedy, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

A. W. WISHARD,  
Chairman.

Which report was concurred in.

Senator Wishard moved that the constitutional rule requiring bills to be read on three several days be suspended, the bill be read a second time by title, considered engrossed, and read the third time by sections.

The question being upon the suspension of the constitutional rules.

Those voting in the affirmative were :

Senators Alexander, Baker, Beck, Bethell, Bird, Boord, Bozeman, Collett, Crumacker, Duncan, Ellison, Gifford, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, McCutchan, McHugh, McLean, McManus, Mull, O'Brien, Parker, Phares, Schneck, Self, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard. Total, 35.

None voting in the negative.

So the constitutional rule was suspended; the bill read the second time by title, considered engrossed, and read the third time by sections and put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Baker, Beck, Bethell, Boord, Bozeman, Crumacker, Duncan, Ellison, Gifford, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, McCutchan, McHugh, McLean, McManus, Mull, O'Brien, Parker, Phares, Schneck, Self, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard. Total, 34.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senator Boyd moved that Senate Bill No. 43 be made a special order for Monday at 4 o'clock P. M.

Which motion prevailed.

The Committee on Education made the following report :

MR. PRESIDENT :

Your Committee on Education, to which was referred Senate Bill No. 220, introduced by Senator McCutchan, would report they have the same under consideration and recommend that the same be indefinitely postponed.

H. C. DUNCAN,  
Chairman.

Which report was concurred in.

The Committee on Education made the following reports:

MR. PRESIDENT:

A majority of your Committee on Education, to which was referred House Bill No. 330, introduced by Mr. Hunter, would report that they have had the same under consideration, and would recommend the same do pass.

H. C. DUNCAN,  
Chairman.

MR. PRESIDENT:

A minority of your Committee on Education, to which was referred House Bill No. 330, introduced by Mr. Hunter, begs leave to report the same back to the Senate with the recommendation that the said bill be indefinitely postponed.

GEO. H. GIFFORD,  
WM. E. McLEAN.

Senator LaFollette moved to make the consideration of the bill the special order for 2 o'clock to-morrow.

Which motion prevailed.

Senator LaFollette moved the reconsideration of the motion making the consideration of House Bill No. 330 a special order for to-morrow at 2 o'clock.

Which motion prevailed.

The question being on the substitution of the minority report for the majority report:

Those voting in the affirmative were:

Senators Alexander, Beck, Bird, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, McLean, Parker, Stuart. Total, 11.

Those voting in the negative were:

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Mull, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White, Wishard. Total, 27.

So the minority report was not substituted for the majority report.

The majority report was then adopted.



Senator Boyd, Chairman of the Committee on Benevolent Institutions, made the following report :

MR. PRESIDENT:

Your Committee on Benevolent Institutions, to which was referred Senate Bill No. 170, introduced by Senator Collett, begs leave to report the same back to the Senate, with the recommendation that it do pass.

THOS. E. BOYD.

The report was concurred in.

The Committee on Natural Gas made the following report :

MR. PRESIDENT:

Your Committee on Natural Gas, to which was referred Senate Bill No. 472, introduced by Senator LaFollette, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

J. J. M. LAFOLLETTE,  
Chairman.

Which report was concurred in.

Senator Shiveley, Chairman of the Committee on Organization of Courts, made the following report:

MR. PRESIDENT:

Your Committee on Organization of Courts, to which was referred Senate Bill No. 432, introduced by Senator Baker, begs leave to report the same back to the Senate, with the recommendation that the same be amended by striking out the words and figures "twelve hundred (\$1,200)" in line 2 of section 4 of said bill and inserting in lieu thereof the following: "not less than six hundred and not more than twelve hundred to be fixed by the Common Council," and when so amended that the same do pass.

CHAS. E. SHIVELEY,  
Chairman.

The report was concurred in.

Senator Shiveley, Chairman of the Committee on Organization of Courts, made the following report :

MR. PRESIDENT :

Your Committee on Organization of Courts, to which was referred Senate Bill No. 157, introduced by Senator Boyd, begs leave to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

CHAS. E. SHIVELEY,  
Chairman.

Which report was concurred in.

Your Committee on Organization of Courts made the following report :

MR. PRESIDENT :

Your Committee on Organization of Courts, to which was referred House Bill No. 128, introduced by Mr. Culbert, begs leave to report the same back to the Senate with the recommendation that the same do pass.

CHAS. E. SHIVELEY,  
Chairman.

FRED. BOORD,  
ISAAC H. PHARES,  
H. Q. HOUGHTON.

The report was concurred in.

Senator Shiveley, Chairman of the Committee on Organization of Courts, made the following report :

MR. PRESIDENT :

Your Committee on Organization of Courts, to which was referred House Bill No. 91, introduced by Mr. Stakebake, begs leave to report the same back to the Senate, with the recommendation that the same do pass, with the following amendments: By striking out the figures "1147" in line 11 of section 1, and also by striking out the words "or by a Master Commissioner as provided for in section 419 of this act," wherever the same occurs.

CHARLES E. SHIVELEY,  
Chairman.

Which report was concurred in.

The Committee on Military Affairs made the following report:

MR. PRESIDENT:

Your Committee on Military Affairs, to which was referred Senate Bill No. 453, introduced by Senator Baker, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

McCUTCHAN,  
Chairman.

Which report was concurred in.

The Committee on Roads made the following report:

MR. PRESIDENT:

Your Committee on Roads, to which was referred House Bill No. 65, introduced by Mr. Loring, begs leave to report the same back to the Senate, with the recommendation that the bill do pass.

W. F. KERNS,  
Chairman.

Which report was concurred in.

The Committee on Roads made the following report:

MR. PRESIDENT:

Your Committee on Roads, to which was referred House Bill No. 398, introduced by Mr. Spitler, begs leave to report the same back to the Senate, with the recommendation that the bill do pass.

W. F. KERNS,  
Chairman.

Which report was concurred in.

Senator Collett, Chairman of the Committee on County and Township Affairs, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Affairs, to which was referred House Bill No. 348, introduced by Mr. Remington, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

M. W. COLLETT,  
Chairman.

The report was concurred in.

Senator Holler, Chairman of the Committee on Agriculture made the following report :

MR. PRESIDENT :

Your Committee on Agriculture, to which was referred Senate Bill No. 449, introduced by Senator LaFollette, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

HOLLER,  
Chairman.

Which report was concurred in.

Senator Stuart offered the following resolution :

MR. PRESIDENT :

*Resolved*, That the Assistant Secretary be authorized to draw his warrant in favor of R. F. Stuart for the following sums on account of railroad fare and personal expenses for the members of the special committee which attended the funeral obsequies of the late Minister Isaac P. Gray at Union City, Indiana, to wit :

Senator M. A. Sweeney.....	\$3 00
Senator C. Holler.....	3 00
Senator W. F. Kerns.....	3 00
Senator R. F. Stuart .....	3 00
Total .....	<u>\$12 00</u>

And that the same was a necessary expense incident to the duties of said committee.

R. F. STUART,  
Chairman.

The question being upon the adoption of the resolution.

Those voting in the affirmative were :

Senators Alexander, Baker, Beck, Bethell, Bird, Boord, Bozeman, Collett, Cranor, Crumpacker, Ellison, Gifford, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, McCutchan, McHugh, McLean, McManus, Mull, O'Brien, Parker, Phares, Schneck, Self, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard. Total, 36.

None voting in the negative.

So the resolution was adopted.

The Committee on Fees and Salaries made the following report:

MR. PRESIDENT:

Your Committee on Fees and Salaries, to which was referred Senate Bill No. 471, introduced by Senator McLean, begs leave to report the same back to the Senate, with the recommendation that it do pass.

O. N. CRANOR,  
Chairman.

Which report was concurred in.

The Committee on Corporations made the following report:

MR. PRESIDENT:

Your Committee on Corporations, to which was referred Senate Bill No. 468, introduced by Senator Cranor, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

BOARD,  
Chairman.

Which report was concurred in.

The Committee on Corporations made the following report:

MR. PRESIDENT:

Your Committee on Corporations, to which was referred Senate Bill No. 245, introduced by Senator McDonald, begs leave to report the same back to the Senate with the recommendation that the following substitute for same be passed.

BOARD,  
Chairman.

Which report was concurred in.

A bill for an act to prevent corporations retaining and receiving wages of their employes against their consent under the pretense of investing the same or establishing a fund for

the relief or assistance of such employes; and authorizing corporations to establish, maintain and administer a fund for the assistance, relief and benefit of their employes and their beneficiaries in certain cases, and by voluntary agreement with such employes to retain and receive from such employes part of their wages for such purpose, and declaring certain contracts in violation of the provisions of this act void, and providing penalties for violation of the provisions of this act.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Indiana,* That it shall be unlawful for any corporation doing business in this State to require employes, as a condition of their employment, to enter into contract of any kind without their consent, for such corporation to retain or receive any part of their wages under the pretense of investing the same or establishing a fund for the relief or assistance of such employes when sick or otherwise disabled.

**SEC. 2.** It shall be unlawful for any corporation doing business in this State to retain or receive any part of the wages due their employes without the consent of such employes, under the pretense of investing the same or establishing a fund for the relief or assistance of such employes when sick or disabled.

**SEC. 3.** It shall be lawful for any corporation doing business in this State to establish, maintain and administer a fund for the assistance and relief of the employes of such corporation in case of disability from sickness or accident while in the service of such corporation, and the payment of benefits to their beneficiaries in case of death; and it shall be lawful for the employes of such corporation to voluntarily agree and enter into contract with such corporation, authorizing such corporation to retain and receive part of their wages, and for such corporation under such contract to retain and receive part of such wages, to establish, maintain and administer a fund for the assistance and relief of the employes of such corporation in case of disability from sickness or accident while in the service of such corporation, and the payment of benefits to their beneficiaries in case of death.

**SEC. 4.** Any contract in violation of the provisions of section one of this act shall be void.

**Sec. 5.** Any officer or agent of a corporation who shall retain any part of the wages of an employe of such corporation in violation of sections one and two of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding two hundred dollars, to which may be added imprisonment in the county jail for a period not exceeding six months.

Which report was concurred in.

Senator Watson, Chairman of the Committee on Claims, made the following report:

**MR. PRESIDENT:**

Your Committee on Claims, to which was referred Senate Bill No. 417, introduced by Senator Kern, begs leave to report the same back to the Senate with the recommendation that the same do pass.

**WATSON,**

Chairman.

The report was concurred in.

Senator Watson, Chairman of the Committee on Claims, made the following report:

**MR. PRESIDENT:**

Your Committee on Claims, to which was referred Senate Bill No. 443, introduced by Senator Stuart, begs leave to report the same back to the Senate with the recommendation that the same do pass.

**WATSON,**

Chairman.

Which report was concurred in.

The Committee on Prisons made the following reports :

MR. PRESIDENT :

A majority of your Committee on Prisons, to which was referred Senate Bill No. 408, introduced by Senator Wishard, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

WATSON,  
Chairman.

MR. PRESIDENT :

A minority of your Committee on Prisons, to which was referred Senate Bill No. 408, introduced by Senator Wishard, begs leave to report the same back to the Senate, with the recommendation that it be indefinitely postponed.

McDONALD,  
McKELVEY.

On motion of Senator Watson the bill was made a special order for to-morrow at 2:10 P. M.

Senator Baker offered the following :

MR. PRESIDENT :

Your special committee, to whom was referred Senate Bill No. 12, begs leave to report the subjoined bill as a substitute for said original bill, and recommend that said substitute do pass.

O. A. BAKER,  
Chairman.

Substitute for Senate Bill No. 12, entitled :

A bill for an act to prevent the sale of cigars, cigarettes and cigarette wrappers to minors, and to prevent the sale of such cigarettes and cigarette wrappers as are deleterious to health.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That it shall be unlawful for any corporation, company, firm or person to sell, barter or give away, directly or indirectly, to any person under the age of sixteen years, any cigar, cigarette, cigarette wrapper or any substitute for either.

SEC. 2. That it shall be unlawful for any corporation, company, firm or person to sell, barter or give away to any person, directly or indirectly, any cigarette, or any substitute therefor, containing any substance other than tobacco and deleterious to health.



SEC. 3. Any such corporation, company, firm or person violating any of the provisions of this act, either as principal, agent or salesman, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than ten (\$10) dollars nor more than one hundred (\$100) dollars; and to which may be added imprisonment in the county jail for any period not exceeding thirty days; and it is hereby made the especial duty of Prosecuting Attorneys to enforce the provisions of this act.

SEC. 4. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in force from and after its passage.

Which report was concurred in.

Senator Baker, Chairman of the Committee on Revision of the Constitution, made the following report :

MR. PRESIDENT :

Your Committee on the Revision of the Constitution, to which was referred Engrossed House Joint Resolution No. 5, introduced by Mr. Stakebake, begs leave to report the same back to the Senate with the recommendation that the same be adopted.

O. A. BAKER,  
Chairman.

Which report was concurred in.

Senator Bozeman, Chairman of the Committee on Banks, made the following report :

MR. PRESIDENT :

Your Committee on Banks, to which was referred Senate Bill No. 464, introduced by Senator Bozeman, begs leave to report the same back to the Senate with the recommendation that the same be printed.

BOZEMAN,  
Chairman.

Which report was concurred in.

Senator Watson offered the following resolution:

**WHEREAS**, There will be at the close of this session a large amount of Journal work, which the Journal force will be unable to complete before the adjournment of this session; be it

*Resolved*, That the Assistant Secretary of the Senate be and he his hereby authorized to retain his force five days after the close of this session, at the same per diem as is now allowed, to assist him in the completion of the Journal; and that the President of the Senate be and he his hereby authorized to issue warrants upon the Auditor of State to said Assistant Secretary and assistants for said services.

**WATSON.**

The question being on the adoption of the resolution.

Those voting in the affirmative were:

Senators Alexander, Baker, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Cranor, Crumpacker, Duncan, Ellison, Gifford, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, McCord, McCutchan, McLean, McManus, Mull, O'Brien, Parker, Phares, Schneck, Self, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard.  
Total, 88.

None voting in the negative.

So the resolution was adopted.

Senator Kern offered the following resolution:

*Resolved*, That James Thompson, Major Gardner, and Chas. Stapp be allowed each the sum of one dollar (\$1.00) per day additional to their regular compensation for the services rendered by them during this session.

**KERN.**

Senator Boyd moved to refer the resolution to the Committee on Claims.

Which motion was lost.

The question being on the adoption of the resolution.

The roll was called, which resulted as follows:

Those voting in the affirmative were :

Senators Alexander, Baker, Beck, Bethell, Bird, Boord, Boyd, Crumpacker, Ellison, Gifford, Haggard, Holler, Houghton, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, McCutchan, McHugh, McLean, McManus, Mull, O'Brien, Parker, Phares, Schneck, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard. Total, 83.

Those voting in the negative were :

Senators Bozeman, Collett, Cranor, Humphreys, Self. Total, 5.

So the resolution was adopted.

On motion of Senator Duncan the Senate adjourned.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.

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FRIDAY MORNING.

MARCH 1, 1895.

The Senate met at 10 A. M., the Lieutenant-Governor presiding.

Rev. Stephen A. Northrup, pastor of the First Baptist Church of Fort Wayne, offered prayer.

After a portion of the Journal had been read, on motion of Senator Cranor the further reading of the same was dispensed with.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 252, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

The Committee on Cities and Towns made the following report :

MR. PRESIDENT :

Your Committee on Cities and Towns, to which was referred Senate Bill No. 475, introduced by Senator McLean, begs leave to report the same back to the Senate with the recommendation that the same do pass.

JAMES O'BRIEN,  
Chairman.

Which report was concurred in.

The special committee, to which was referred Senate Bill No. 352, reported as follows :

MR. PRESIDENT :

Your special committee, to whom was referred Senate Bill No. 352 for amendment, now report said bill, with the following amendment, to wit: By inserting, after the word "Judge," in line 12 of section 1 of the engrossed bill, the words, "as to such irregularity," and by inserting after the word "Judge," in line 20 of said section, the words, "as to said irregularity of not having been signed."

GIFFORD.

The report was concurred in.

Senator Holler asked that Senate Bill No. 303 be made a special order for 3 o'clock this afternoon.

The request was granted.

Engrossed Senate Bill No. 872 was read the third time.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Baker, Beck, Bird, Boyd, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, Wishard, Wray. Total, 44.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The Committee on the Inspection of the Journal, made the following report:

MR. PRESIDENT:

Your Committee on the Inspection of the Senate Journal begs leave to report that they have examined the same from January 10 to February 5, inclusive, and find the same correct.

L. P. NEWBY,

Chairman.

Which report was concurred in.

Engrossed Senate Bill No. 202 was read the third time.

Senator McLean moved to refer the bill back to the Special Committee for revision.

Which motion prevailed.

Senator McLean, the Special Committee of One, to whom was referred Senate Bill No. 202, made the following report:

MR. PRESIDENT:

I move to amend Senate Bill No. 202 by striking out of line 8 of page 1 of printed bill the following words: "Whose population according to the census of 1890 was at least 30,000."

W. E. McLEAN.

The report was concurred in.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Beck, Bird, Boyd, Cranor, Duncan, Ellison, Gifford, Holler, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McKelvey, McLean, McManus, Parker, Rinear, Seller, Sweeney, Wray. Total, 22.

Those voting in the negative were:

Senators Bethell, Boord, Collett, Kerns of Vermillion, LaFollette, McCutchan, McHugh, Manwaring, Mull, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White, Wishard. Total, 18.

So the bill failed to pass for the want of a constitutional majority.

Senator Shiveley moved that Substitute Senate Bill No. 26 be made a special order for to-morrow morning at 10 o'clock.

Which motion prevailed.

Engrossed Senate Bill No. 102 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Cranor, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Humphreys, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Rinear, Self, Seller, Stuart, Sweeney, Vail, Watson, White. Total, 35.

Those voting in the negative were :

Senators Johnston, Kerns of Vermillion, LaFollette, McCutchan. Total, 4.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 244 was read the third time.

Senator Cranor moved that the bill be recommitted to the Committee on Public Health.

Which motion prevailed.

The Committee on Enrolled Bills made the following report :  
MR. PRESIDENT :

Your Committee on Enrolled Bills, to whom was referred Senate Enrolled Concurrent Resolution No. 18, begs leave to report that they have compared the Enrolled Concurrent Resolution with the Concurrent Resolution as passed by the Senate, and find the same to be correct.

VAIL,  
Chairman..

Which report was concurred in.

President Nye announced that he had signed Enrolled Senate Concurrent Resolution No. 18.

Senator Shiveley introduced Senate Bill No. 480, entitled :

A bill for an act to provide for the better government, control, management and general supervision of the Central Hospital for the Insane, for the Northern Hospital for the Insane, for the Southern Hospital for the Insane, for the Eastern Hospital for the Insane, the Indiana Institution for the Education of the Blind, and the Institution for the Education of the Deaf and Dumb; providing for the appointment of the Trustees to constitute a Board of Control for each of said institutions, fixing the time of their service, repealing all laws in conflict herewith, and declaring an emergency.

Read the first time and referred to the Committee on Benevolent Institutions.

Senator McCutchan introduced Senate Bill No. 481, entitled:

A bill for an act granting to Boards of Public Works in cities having more than fifty thousand and less than one hundred thousand population, according to the last preceding United States census, the power to grant to benevolent institutions maintained by the State and situated within ten miles of the corporate limits of such cities, the right, privilege and permission to tap, connect with and drain into any sewer of such cities under such rules, regulations, restrictions and compensation as may be prescribed and demanded by such Boards of Public Works; and to grant such benevolent institutions the right of way for such purpose over the streets, alleys and highways of such cities, repealing all laws in conflict therewith, and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

Senator Shiveley introduced Senate Bill No. 482, entitled:

A bill for an act providing for the inspection of fertilizers, and prescribing the duties in relation thereto of the Pure Food Inspector.

Read the first time and referred to the Committee on Agriculture.

By request Senator Watson introduced Senate Bill No. 483, entitled:

An act concerning cemeteries in cities and towns which have been vacated, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.



Senate Joint Resolution No. 2 was read the third time.

The question being, Shall the resolution be adopted?

Those voting in the affirmative were:

Senators Bethell, Boyd, Crumpacker, Duncan, Gostlin, Holler, Houghton, Kerns of Vermillion, Leyden, McCutchan, McManus, Manwaring, Newby, O'Brien, Phares, Schneck, Self, Vail, Watson. Total, 19.

Those voting in the negative were:

Senators Beck, Cranor, Gifford, Humphreys, Johnston, Kern of Marion, LaFollette, McDonald, McHugh, Parker, Rinear, Stuart, Sweeney, Wishard, Wray. Total, 15.

So the resolution was not adopted for the want of a constitutional majority.

The Committee on Enrolled Bills made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills, to which was referred Senate Enrolled Bills Nos. 252 and 207, begs leave to report that they have compared the enrolled bills with bills as passed by the Senate, and find the same to be correct.

VAIL,  
Chairman.

The report was concurred in.

The President of the Senate reported that he had signed Enrolled Senate Bills Nos. 207 and 252.

Engrossed House Bill No. 459 was read the third time.

Senator Gifford moved to refer the bill to the author for amendment.

Senator Wishard moved to reject the motion.

Which motion prevailed.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Bird, Boyd, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, LaFollette, McCutchan, McDonald, Manwaring, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Vail, Watson, Wishard. Total, 25.

Those voting in the negative were:

Senators Alexander, Beck, Bethell, Collett, Gifford, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, Leyden, McHugh, McKelvey, McLean, Seller, Shiveley, Stuart, Sweeney, Wray. Total, 18.

So the bill failed to pass for the want of a constitutional majority.

Engrossed Senate Bill No. 98 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Cranor, Gifford, Holler, Humphreys, Kerns of Vermillion, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, O'Brien, Parker, Phares, Rinear, Stuart, Sweeney, Vail, Wray. Total, 19.

Those voting in the negative were:

Senators Alexander, Baker, Bethell, Boyd, Bozeman, Crumpacker, Duncan, Houghton, Johnston, LaFollette, Leyden, Manwaring, Mull, Schneck, Self, Seller, Shiveley, White. Total, 18.

So the bill failed to pass for want of a constitutional majority.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has adopted House Concurrent Resolution No. 10, with reference to a monument to be erected to the memory of Governor Whitcomb, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

House Concurrent Resolution No. 10, as follows:

WHEREAS, The four heroic periods through which Indiana has passed are to be commemorated on the grounds in the city of Indianapolis, known as Monument Place, by monuments to the four representative men of the periods; and,

WHEREAS, The representatives, so far chosen, are General George Rogers Clark, who commanded this region in the time of the Revolutionary war; General William Henry Harrison, the first Territorial Governor, and Governor Oliver Perry Morton, the Executive of the State during the war for the preservation of the Union; and,

WHEREAS, The logical sequence is that a representative of equal official prominence ought to be chosen for the period of the Mexican war; therefore be it

*Resolved by the House of Representatives, the Senate concurring,* That those having charge of the erection of the aforesaid Monuments, by authority of the State, are hereby directed to choose Governor James Whitcomb, as the representative of the Mexican War period, and to erect his statue on the remaining pedestal now occupying said Monument Place.

Read the first time and referred to the Committee on Military Affairs.

Special order Senate Bill No. 303 was read the second time.

Senator Gifford offered Amendment No. 1, as follows:

MR. PRESIDENT:

I move to amend section 1 of Senate Bill No. 303 by striking out of line 5 the word "April," and by inserting in its stead the word "March." Also by striking out of line 5 of said section the word "November," and inserting in its stead the word "December."

GIFFORD.

Senator Newby moved to reject the amendment.

Which motion prevailed.

Senator Gifford offered Amendment No. 2, as follows:

**MR. PRESIDENT:**

I move to amend section 2 of Senate Bill No. 303 by striking out of line two in said section the word "three," and inserting in lieu thereof the word, "four." Also by striking out of line four of said section 2, the word, "fifteen," and inserting in lieu thereof the word "forty." Also by striking out of said section two all that part commencing with the word "It" in line four, and ending with the word "held" in line seven.

**GIFFORD.**

Senator Newby moved to reject the amendment.

Which motion prevailed.

Senator Gifford offered Amendment No. 3, as follows:

**MR. PRESIDENT:**

I move to amend section 4 of Senate Bill 303 by inserting in line three of said section, after the word "State," the following words: "upon the written permission of the Governor of said State."

Also by inserting, at the close of line eighteen of said section four, the following clause, viz.:

"That should such prosecution be wrongful and oppressive, such corporation, association, firm or person, proposing to hold such meeting, and any owner of any horse, mare or gelding, shall have a cause of action against the State for the damage sustained by reason of such wrongful restraining order; and the Circuit Courts of the several counties throughout the State shall have jurisdiction to hear and determine such suit for damages against the State of Indiana, the same as they would against a private citizen.

**GIFFORD. .**

Senator Newby moved to reject the amendment.

Which motion prevailed.

Senator Boord moved to substitute Senate Bill No. 169 for the bill.

Senator Shiveley moved to reject this substitute.

Which motion prevailed.

Senator Newby offered Amendment No 4, as follows :

**MR. PRESIDENT :**

I move that section 2 of Senate Bill No. 169 be inserted in Senate Bill No. 303, and when inserted there it be numbered section 7, and that section 7 of said bill be numbered 8.

**NEWBY.**

Senator Watson moved to reject the amendment.

Which motion prevailed.

Senator Parker moved that the constitutional rule requiring bills to be read on three several days be suspended, the bill considered engrossed and read the third time by sections.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were :

Senators Alexander, Baker, Beck, Bethell, Bird, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, Wray. Total, 42.

Senators Boord and Gifford voting in the negative.

So the constitutional rule was suspended, the bill considered engrossed and read a third time by sections.

The question being, Shall the bill pass ?

Those voting in the affirmative were :

Senators Alexander, Baker, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, Wishard, Wray. Total, 47.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 187 was read the third time.

Senator Watson moved to refer the bill to the author for revision..

Which motion prevailed.

Senator Leyden reported that he had amended the bill as directed by the Senate.

The report was concurred in.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Crumpacker, Duncan, Ellison, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wishard, Wray. Total, 46.

Senator Cranor voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The Lieutenant-Governor announced that he had signed Enrolled House Bill No. 156.

Engrossed Senate Bill No. 352 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Ellison, Gifford, Gostlin, Holler, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Phares, Schneck, Seller, Stuart, Vail, Wishard, Wray. Total, 38.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senator Boyd, Chairman of the Committee on Benevolent Institutions, made the following report :

MR. PRESIDENT :

Your Committee on Benevolent Institutions, to which was referred Senate Bill No. 480, introduced by Senator Shiveley, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

THOMAS E. BOYD,  
Chairman.

Which report was concurred in.

The Committee on Finance made the following report :

MR. PRESIDENT :

Your Committee on Finance, to which was referred House Bill No. 68, introduced by Mr. Newhouse, begs leave to report the same back to the Senate, with the recommendation that the bill be printed.

HAGGARD,  
Chairman.

The report was concurred in.

The Committee on Military Affairs made the following report :

MR. PRESIDENT :

Your Committee on Military Affairs, to which was referred House Bill No. 325, introduced by Representative Melendy, begs leave to report the same back with the recommendation that the same do pass.

MCCUTCHAN,  
Chairman.

Which report was concurred in.

The Committee on Military Affairs made the following report: .

MR. PRESIDENT:

Your Committee on Military Affairs, to which was referred Senate Bill No. 478, introduced by Senator Sweeney, begs leave to report the same back with the recommendation that it do pass.

A. J. McCUTCHAN,  
Chairman.

Which report was concurred in.

Senate Bill No. 474 was read the second time.

Senator Watson offered Amendment No. 1, as follows:

MR. PRESIDENT:

I move to amend Senate Bill No. 474 by inserting the word "March" after the word "of" in line 4 of section 2 of said bill, and by inserting the figure 4 after the word "section" in line 13 of section 5 of said bill.

WATSON.

Which amendment was adopted, and the bill was ordered engrossed.

Senator Watson moved that the consideration of Senate Bill No. 474 be made a special order for to-morrow at 11:15 o'clock A. M.

Which motion prevailed.

The Committee on Congressional Apportionment made the following reports:

MR. PRESIDENT:

A majority of your Committee on Congressional Apportionment, to whom was referred House Bill No. 622, introduced by Representative Stutesman, desire to report the same back with the recommendation that the same do pass.

L. W. VAIL,  
W. E. McCORD,  
ISAAC H. PHARES,  
J. T. WHITE,  
W. F. KERNS,  
A. W. WISHARD,  
O. N. CRANOR.



MR. PRESIDENT :

A minority of your Committee on Congressional Apportionment, to which was referred House Bill No. 622, introduced by Mr. Stutesman, begs leave to report the same back to the Senate, with the recommendation that the following be substituted therefor.

McDONALD,  
BECK,  
SWEENEY,  
LEYDEN.

SECTION 1. That the State of Indiana shall be divided into thirteen districts for the election of Representatives in the Congress of the United States, each of which districts shall be entitled to one Representative.

SEC. 2. The limits of each district shall be as follows :

SEC. 3. The counties of Posey, Gibson, Vanderburgh, Warrick, Pike and Spencer shall constitute the First District.

SEC. 4. The counties of Knox, Greene, Daviess, Martin, Dubois, Lawrence, Orange, Perry and Crawford shall constitute the Second District.

SEC. 5. The counties of Harrison, Washington, Jackson, Jennings, Scott, Jefferson, Clark and Floyd shall constitute the Third district.

SEC. 6. The counties of Shelby, Ripley, Decatur, Rush, Franklin, Fayette, Union, Dearborn, Ohio and Switzerland shall constitute the Fourth District.

SEC. 7. The counties of Owen, Montgomery, Putnam, Hendricks, Morgan, Monroe, Brown, Johnson and Bartholomew shall constitute the Fifth District.

SEC. 8. The counties of Henry, Delaware, Randolph, Wayne, Madison and Jay shall constitute the Sixth District.

SEC. 9. The counties of Marion and Hancock shall constitute the Seventh District.

SEC. 10. The counties of Sullivan, Vigo, Clay, Parke, Vermillion, Fountain and Warren shall constitute the Eighth District.

**SEC. 11.** The counties of Boone, Tippecanoe, Clinton, Tipton, Hamilton and Howard shall constitute the Ninth District.

**SEC. 12.** The counties of Carroll, Benton, Starke, Cass, White, Fulton, Pulaski, Newton, Jasper, Lake and Porter shall constitute the Tenth District.

**SEC. 13.** The counties of Grant, Miami, Wabash, Huntington, Wells, Adams and Blackford shall constitute the Eleventh District.

**SEC. 14.** The counties of Allen, Whitley, Noble, Dekalb, Lagrange and Steuben shall constitute the Twelfth District.

**SEC. 15.** The counties of Laporte, St. Joseph, Marshall, Elkhart and Kosciusko shall constitute the Thirteenth District.

**SEC. 16.** All laws and parts of laws in conflict with the provisions of this act shall be, and the same are hereby, repealed.

Senator Cranor moved that the bill, with the reports and substitute, be printed and made a special order for Monday at 2 o'clock.

Which motion prevailed.

The special committee to which was referred Senate Bill No. 369 made the following report:

**MR. PRESIDENT:**

Your committee, to which was referred Senate Bill No. 369, introduced by Senator McCord, now report the same back amended to read as follows, and with the recommendation that the said bill as amended do pass.

BOZEMAN,  
Chairman.

Senate Bill No. 369, as follows:

A bill for an act to amend sections thirteen and eighteen of an act entitled "An act to authorize and regulate the incorporation of banks of discount and deposit in the State of Indiana, approved February 7, 1873," and fixing the compensation thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That section thirteen (13) of an act entitled "An act to authorize and regulate the incorporation of banks of discount and deposit in the State of Indiana, approved February 7, 1873," be, and the same is hereby, amended to read as follows, to wit:

SEC. 13. The shareholders of each association formed under the provisions of this act shall be individually responsible to an amount over and above their stock, equal to the par value of their respective shares of stock, for all debts or liabilities of the association and which may be collectible by suit, and also as herein provided. Those holding shares only in a fiduciary capacity shall not be individually liable, but the assets of the estate, trust or person for whom they are acting, shall be liable as herein provided. Whenever the Auditor of State shall have reason to believe that the capital stock of any of said associations is reduced, by impairment or otherwise, below the amount required by law, or by its articles of association and certificate of increase, or decrease, of capital, as the case may be, the Auditor shall require the deficiency to be made good, and the Board of Directors shall immediately give notice of said requisition to each stockholder and of the amount of assessment which he must pay, by notice made to such stockholder, at his place of business, or served personally upon him. If any stockholder shall refuse or fail to pay the assessment specified in the notice written sixty (60) days from the date thereof, said Directors shall have the right to sell said stock, or any part thereof, to the highest bidder at public or private auction, and with or without notice, as the Auditor may direct the sale to be made, but such stock shall not be sold for a less sum than valuation put thereon by the Auditor and certified by him to the Board of Directors, and the Auditor may re-value such stock, and new offers for sale may be made at any time, and from the proceeds of sale shall first be deducted the costs thereof.

If any association shall neglect for sixty (60) days after the Auditor shall have required such deficiency to be made good to comply with such request, the Auditor shall report the fact to the Attorney General, who shall at once institute such legal proceedings as shall be proper to wind up the defaulting association according to law, and any violation of law, or default

named in this act shall be sufficient cause for the appointment of a receiver for such association. And that section 18 of said entitled act be and the same is hereby amended to read as follows, to wit:

Section 18. The Auditor of State, with the approval of the Governor, as often as shall be deemed necessary or proper, shall appoint a suitable person or persons to make an examination of the affairs of every banking association under this act, which person shall not be a director or other officer in any association whose affairs he shall be appointed to examine, and who shall have power to make a thorough examination into all the affairs of the association, and, in doing so, to examine any of the officers and agents thereof on oath; and if such bank be in an insolvent or failing condition, or if the assets thereof are being wasted or improperly used or converted, said examiner shall at once notify said Auditor of State who shall thereupon direct said examiner, or some other person appointed by him to at once take charge and control of said bank, and all the books, notes, cash on hand and other assets, and said Auditor of State shall immediately thereafter make application to the Judge of the Circuit Court or Superior Court of the county where such bank is situated, either during the term time or in vacation, for the appointment of a receiver to take charge of said bank. Notice of such application shall be given to the stockholders and depositors of said bank by publication as directed by the Judge of said court. Should any such bank fail or suspend between the periods of the examination herein authorized, it shall be the duty of the President or cashier of said bank to immediately notify the Auditor of State of such failure or suspension, and said Auditor shall thereupon appoint some proper person to take charge of said bank pending the application for and appointment of a receiver as herein provided for. Such person so appointed to take charge of the assets of any such bank shall receive such compensation as may be allowed him by the court having jurisdiction over the receiver appointed. Said examiner shall make a full and detailed report of the condition of the association to the Auditor, and the association shall not be subject to any other visitorial powers than such as are authorized by this act, except such as are vested in the several courts of this State. Associations being

administered by receivers and assignees shall be subject to the same examinations, and be required to report to the Auditor of State as is required of solvent associations. And examiners so appointed to examine said associations shall receive compensation for services as follows: For examining banks having a capital of less than \$40,000, fifteen dollars; those having a capital of \$40,000 and less than \$100,000, twenty dollars; those having a capital of \$100,000 and less than \$300,000, twenty-five dollars; those having a capital of \$300,000 and less than \$400,000, thirty-five dollars; those having a capital of \$400,000 and less than \$500,000, forty dollars; those having a capital of \$500,000 and less than \$600,000, fifty dollars; those having a capital of \$600,000 and over, seventy-five dollars; which amounts shall be assessed by the Auditor of State upon and paid by the respective associations so examined, and when collected be paid to the proper examiner. A failure to pay such assessments on notice shall be cause for the appointment of a receiver of the association in default.

The Auditor shall also assess all expenses and outlay incident to taking and holding possession of an association as herein provided, including ten dollars per day for the services of the examiner in charge thereof; to be paid before any distribution of the assets of the association.

Which report was concurred in, and the amendments were ordered engrossed.

The bill was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Crumpacker, Duncan, Gifford, Holler, Houghton, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, O'Brien, Phares, Rinear, Schneck, Shiveley, Stuart, Vail, Watson, White, Wray.  
Total, 85.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 525 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Beck, Bethell, Bird, Boord, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 43.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 868 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Beck, Bethell, Bird, Boord, Cranor, Crumpacker, Duncan, Ellison, Gostlin, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 41.

Senator Manwaring voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 101 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Ellison, Gifford, Gostlin, Holler, Humphreys, Kern of Marion, Kerns of Vermillion, Leyden, McDonald, McLean, McManus, Manwaring, Newby, O'Brien, Parker, Rinear, Schneck, Self, Shiveley, Sweeney, Watson, White, Wray. Total, 80.

Those voting in the negative were:

Senators Baker, Collett, Cranor, Houghton, LaFollette, McCord, McHugh, McKelvey, Mull, Phares, Stuart, Vail. Total, 12.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The following communication was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 265 and Senate Bill No. 873, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 265, entitled:

A bill for an act to amend section thirty-eight (38), forty (40), forty-five (45), fifty-six (56), sixty (60), sixty-one (61), seventy-three (73), seventy-seven (77), eighty-two (82), eighty-nine (89), ninety (90), ninety-one (91), ninety-seven (97), one hundred (100), one hundred and ten (110), one hundred and fourteen (114), and one hundred and twenty-five (125) of an act entitled An act concerning the incorporation and government of cities having more than one hundred thousand population, according to the last preceding United States census, and matters connected therewith, and declaring an emergency, approved March 6, 1891, and adding a supplemental section thereto, and declaring an emergency.

Read the first time and referred to the Committee on Affairs of the City of Indianapolis.

Senator Wishard moved that the bill be printed.

Which motion prevailed.

The President of the Senate announced that he had signed Enrolled House Bills Nos. 97, 587 and 157.

Engrossed Senate Bill No. 388 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Beck, Bozeman, Cranor, Crumpacker, Duncan, Ellison, Gifford, Holler, LaFollette, Leyden, McCord, McCutchan, McDonald, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Shiveley, Vail, Wishard, Wray. Total, 29.

Those voting in the negative were:

Senators Bethell, Boyd, Houghton, Humphreys, Johnston, Kerns of Vermillion, McHugh, Manwaring, Seller, Stuart, Sweeney, Watson, White. Total, 13.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 389 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Beck, Collett, Crumpacker, Gifford, Gostlin, McDonald, Newby, Parker, Rinear, Seller, Shiveley, Watson, Wray. Total, 14.

Those voting in the negative were:

Senators Baker, Bird, Boord, Boyd, Bozeman, Duncan, Ellison, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McHugh, McKelvey, McLean, Mull, O'Brien, Phares, Schneck, Self, Sweeney, Vail, White, Wishard. Total, 29.

So the bill failed to pass.



Engrossed Senate Bill No. 428 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Beck, Bethell, Bird, Bozeman, Ellison, Gifford, Gostlin, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, Leyden, McCutchan, McHugh, McKelvey, McLean, McManus, Parker, Rinear, Schneck, Stuart, Sweeney, Wray. Total, 26.

Those voting in the negative were:

Senators Boyd, Collett, LaFollette, McCord, Manwaring, Newby, O'Brien, Shiveley, Vail, White. Total, 10.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senator Holler moved that when the Senate adjourns it adjourn to meet to-morrow morning at 9 o'clock.

Which motion prevailed.

Engrossed Senate Bill No. 439 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Beck, Bethell, Bird, Bozeman, Collett, Crumpacker, Ellison, Gifford, Gostlin, Houghton, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McHugh, McKelvey, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Stuart, Vail, Watson, White, Wishard. Total, 31.

Those voting in the negative were:

Senators Humphreys, McManus, Manwaring, Sweeney, Selser, Wray. Total, 6.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senator Leyden moved to adjourn.

Which motion was lost.

Senate Bill No. 266 was read the third time.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Baker, Beck, Bethell, Bird, Bozeman, Collett, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McKelvey, McLean, McManus, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Stuart, Sweeney, Watson, White, Wisard. Total, 88.

Those voting in the negative were:

Senators McDonald and Vail. Total, 2.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senator Vail, Chairman of the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills, to which was referred Senate Enrolled Bill No. 142, introduced by Senator Stuart, begs leave to report that they have compared the Enrolled Bill with the bill as passed by the Senate and find the same to be correct.

VAIL,  
Chairman.

The report was concurred in.

The President of the Senate announced that he had signed Enrolled Senate Bill No. 142.

Senate Bill No. 331 was read the third time.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Alexander, Baker, Beck, Bethell, Bird, Bozeman, Collett, Crumpacker, Duncan, Ellison, Gostlin, Holler, Houghton, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McKelvey, McLean, McManus, Mull, O'Brien, Parker, Phares, Rinear, Schneek, Self, Seller, Stuart, Vail, Watson, White, Wishard. Total, 37.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 362 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Kerns of Vermillion, McDonald, Manwar-  
ing. Total, 4.

Those voting in the negative were:

Senators Alexander, Beck, Bird, Bozeman, Collett, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Holler, Houghton, Humphreys, Johnston, Kern of Marion, LaFollette, McCord, McCutchan, McHugh, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Self, Seller, Stuart, Sweeney, Vail, Watson, White, Wishard, Wray. Total, 35.

So the bill failed to pass.

On motion of Senator Watson, the Senate adjourned.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.

## SATURDAY MORNING.

MARCH 2, 1895.

The Senate convened at 9 o'clock A. M., with the Lieutenant-Governor in the chair.

After a portion of the Journal had been read, on motion of Senator LaFollette, the further reading of the same was dispensed with.

Engrossed House Bill No. 128 was read the second time and ordered to the third reading.

The Committee on Cities and Towns made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred Senate Bill No. 455, introduced by Senator Kern, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

JAMES O'BRIEN,  
Chairman.

Which report was concurred in.

Senator O'Brien, Chairman of the Committee on Cities and Towns made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred House Bill No. 477, introduced by Mr. Blue, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

JAMES O'BRIEN,  
Chairman.

Which report was concurred in.

Senator O'Brien moved that the constitutional rule requiring bills to be read upon three several days be suspended, that the bill be read a second time by title, considered engrossed, read a third time by sections, and placed upon its passage.

The question being upon the suspension of the constitutional rule.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Alexander, Baker, Beck, Bird, Bozeman, Ellison, Gifford, Gostlin, Holler, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, McCord, McCutchan, McDonald, McHugh, McManus, Manwaring, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Self, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 84.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title, considered engrossed, read a third time by sections and placed upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Baker, Beck, Bird, Bozeman, Crumacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, McCord, McCutchan, McDonald, McHugh, McManus, Manwaring, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 88.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senator Stuart offered the following resolution and moved its adoption :

MR. PRESIDENT :

I offer the following resolution and move its adoption :

*Resolved*, That the rules be suspended and that Senate Bill No. 40, commonly known as the Indianapolis Street Railway Paving Bill be taken up, and that the report signed by Senators Kern, McHugh and Stuart, favoring its passage, be concurred in, and that the bill be advanced to engrossment.

STUART.

Senator McDonald offered the following resolution :

WHEREAS, Several days since this body received from the proper officers of the House of Representatives, House Bill No. 165, commonly known as the Nicholson Bill.

WHEREAS, This bill has been referred to a committee of this body designated in the calendar as the Temperance Committee, where it reposes among the other bills so far referred to that committee, and is keeping company with the thousands of petitions offered by the people of the State asking for its passage; and

WHEREAS, This committee has had plenty of time to make inquiries into the provisions of this said House Bill No. 165. and that they have full and sufficient knowledge of the provisions of the bill.

WHEREAS, This honorable body fully and completely understands the provisions of this act, so well that there is no reason of any delay in its consideration and is now ready to take it up; be it

*Resolved*, That this committee, called and designated the Temperance Committee, be hereby instructed to report said House Bill back to this body with such reports as they have prepared, with or without amendments, with or without recommendations, and that said bill be made a special order for Monday, March 4, 1895.

McDONALD.

Senator LaFollette moved to refer the resolution to the Committee on Temperance.

Which motion prevailed.

Senator Seller presented a memorial from McPherson Post, No. 7, G. A. R., relative to the selection of the statute of Comrade Mahlon D. Manson as the representative of Indiana in the Mexican war.

Referred to the Committee on Military Affairs.

Senator Seller presented a memorial from McPherson Post, No. 7, G. A. R., relative to the bill appropriating \$67,000 to mark the positions of the 40 regiments from Indiana at the battle of Chickamauga.

Referred to the Committee on Military Affairs.

Senator Holler presented a petition from the citizens of South Bend, Ind., asking for the passage of the militia bill.

Referred to the Committee on Military Affairs.

Senator Ellison presented a petition from the citizen of Allen County, asking for the passage of the militia bill.

Referred to the Committee on Military Affairs.

Engrossed Senate Bill No. 366 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Bird, Boyd, Bozeman, Crum-  
packer, Duncan, Ellison, Gifford, Gostlin, Haggard, LaFollette,  
McCutchan, McDonald, McHugh, McKelvey, McLean, Mc-  
Manus, Manwaring, O'Brien, Parker, Rinear, Seller, Shiveley,  
Sweeney, Wray. Total, 26.

Those voting in the negative were:

Senators Beck, Collett, Holler, Houghton, Humphreys, Kerns  
of Vermillion, Phares, Schneck, Stuart, Vail, Watson, White.  
Total, 12.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 422 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Beck, Bird, Boyd, Bozeman, Collett, Cranor, Duncan, Gostlin, Haggard, Holler, Houghton, Humphreys, Kerns of Vermillion, LaFollette, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, O'Brien, Phares, Rinear, Schneck, Self, Shiveley, Vail, Watson, White, Wray. Total, 85.

Those voting in the negative were:

Senators Seller, Stuart. Total, 2.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 11 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Beck, Bird, Boyd, Bozeman, Collett, Duncan, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, LaFollette, McCord, McCutchan, McHugh, McKelvey, McLean, Manwaring, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 88.

Senators Kerns of Vermillion and McManus voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.



Engrossed House Bill No. 306 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Baker, Beck, Bird, Boyd, Bozeman, Collett, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kerns of Vermillion, LaFollette, Mull, McCord, McCutchan, McHugh, McKelvey, McLean, McManus, Manwaring, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 39.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senator Newby, by request, introduced Senate Bill No. 484, entitled :

A bill for an act to fix the salaries of the Judges of the Supreme Court, repealing all laws in conflict therewith, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

The Committee on Military Affairs made the following report :

MR. PRESIDENT :

Your Committee on Military Affairs, to which was referred House Concurrent Resolution No. 10, begs leave to report that they concur in the resolution.

McCUTCHAN,  
Chairman.

Which report was concurred in.

Senator Boyd asked leave of absence for Senator McCutchan until Monday.

Which was granted.

Special order Substitute Senate Bill No. 26 was read the second time.

Senator Shiveley offered Amendment No. 1 to Substitute Senate Bill 26, as follows:

MR. PRESIDENT:

I move to amend section 1 of Senate Bill No. 26 by striking out the word "seven" in line 2 of said section and inserting the word "six" in lieu thereof.

SHIVELEY.

Which amendment was adopted.

Senator Shiveley offered Amendment No. 2 to Substitute Senate Bill No. 26, as follows:

MR. PRESIDENT:

I move to amend the title of Senate Bill No. 26 by striking out the word "seven" following the words "not less than" and substituting therefor the word "six."

SHIVELEY.

Which amendment was adopted.

Senator Shiveley moved that the constitutional rule requiring bills to be read upon three several days be suspended, that the bill be read a second time by title, considered engrossed, read a third time by sections and placed upon its passage.

The question being on the suspension of the constitutional rule.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Baker, Beck, Bird, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kerne of Vermillion, LaFollette, McCord, McCutchan, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 41.

Those voting in the negative were:

Senators Gifford, Leyden. Total, 2.

So the constitutional rule was suspended.

The bill was read a second time by title, considered engrossed, read a third time by sections and placed upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Boyd, Bozeman, Collett, Cranor, Crum-  
packer, Duncan, Gostlin, Haggard, Houghton, Kerns of Ver-  
million, LaFollette, McCord, McCutchan, McManus, Manwar-  
ing, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley,  
Vail, Watson, White, Wray. Total, 27.

Those voting in the negative were:

Senators Bird, Gifford, Humphreys, Johnston, Kern of Ma-  
rion, Leyden, McHugh, McKelvey, McLean, Parker, Rinear,  
Seller. Total, 12.

So the bill passed.

Senator Shiveley moved that the title of the bill be amended by striking out the word "seven" following the words "not less than" and substituting therefor the word "six."

Which motion prevailed.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 132, 384 and 642, Senate Bill No. 371 and House Resolution No. 101, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk:

House Resolution No. 101:

MR. SPEAKER:

I offer the following resolution and move its adoption.

*Resolved*, That the Clerk of the House be instructed to request that House Bill No. 628, being an act to correct the enrollment of the Fee and Salary Act of 1891, be returned from the Senate to this House for the purpose of more specifically describing the title of the act.

ROBINSON.

Senator Newby moved the adoption of the resolution.

Which motion prevailed.

Engrossed House Bill No. 182, entitled :

A bill for an act entitled an act to provide for the appointment and compensation of a Superintendent of Public Buildings and Property, prescribing his duties and fixing his compensation, as well as the compensation of other persons who may be employed by said Superintendent, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 384, entitled :

A bill for an act to provide funds for the benefit of the Indiana University, Purdue University, and the Indiana State Normal School, and declaring an emergency.

Read the first time and referred to the Committee on Education.

Engrossed House Bill No. 642, entitled :

A bill for an act directing a statue of Oliver P. Morton, and a statue of William Henry Harrison, to be placed in the National Statuary Hall, in the Capitol at Washington, and declaring an emergency.

Read the first time and referred to the Committee on Military Affairs.

Engrossed Senate Bill No. 312 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Baker, Beck, Bird, Bozeman, Collett, Crumpacker, Duncan, Gifford, Gostlin, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McLean, Manwaring, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 34.

Senators Humphreys and Johnston voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senator O'Brien moved to refer Senate Joint Resolution No. 1 to the Committee on Revision of the Constitution with instructions to report, and that it be made a special order for Monday at 2 o'clock P. M.

Which motion prevailed.

Engrossed Senate Bill No. 107 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Beck, Bird, Boyd, Bozeman, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermilion, LaFollette, Leyden, McCord, McCutchan, McDonald, McKelvey, Manwaring, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, White, Wray. Total, 38.

None voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

The Committee on Enrolled Bills made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills, to which was referred Senate Enrolled Bill No. 373, introduced by Senator Shiveley, begs leave to report that they have compared the enrolled bill with the bill as passed by the Senate and find the same to be correct.

VAIL,  
Chairman.

*To the Senate:*

I have signed Senate Enrolled Act No. 373.

MORTIMER NYE,  
President of Senate.

The Committee on Public Health, Vital and Other Statistics made the following report :

MR. PRESIDENT :

Your Committee on Public Health, Vital and Other Statistics, as a special committee to which was re-referred Senate Bill No. 244, introduced by Senator Baker, begs leave to report the same back to the Senate with the recommendation that the same be amended

*First.* By striking from line 7 of the printed bill the words, "unwholesome or offensive to sight or smell."

*Second.* By inserting the word "or" between the words "damage and injury" in line 8, and by striking out of said line 8 the words "annoyance or discomfort."

*Third.* By adding to section 1 the following words: "*Provided*, That the provisions of this act shall not apply to water flowing into streams from the operation of mines or quarries."

*Fourth.* By striking out section 2.

W. J. BETHELL,  
J. T. WHITE,  
J. W. RINEAR,  
L. SCHNECK,  
S. B. McMANUS,  
S. R. McKELVEY.

Which amendment was adopted.

Engrossed Senate Bill No. 244 was read the third time.

The question being, Shall the bill pass ?

Those voting in the affirmative were :

Senators Baker, Beck, Bird, Cranor, Duncan, Gifford, McKelvey, Manwaring, O'Brien, Phares, Rinear, Seller, Wray.  
Total, 18.

Those voting in the negative were :

Senators Alexander, Boyd, Bozeman, Collett, Crumpacker, Ellison, Gostlin, Haggard, Holler, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McHugh, Newby, Parker, Schneck, Self, Shiveley, Stuart, Vail, Watson, White. Total, 27.

So the bill failed to pass.

Engrossed Senate Bill No. 474 was read the third time.

Senator Cranor moved that the Doorkeeper bring in absent members.

Which motion prevailed.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns of Marion, LaFollette, McCord, McCutchan, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Schneck, Self, Seller, Shiveley, Vail, Watson, White. Total, 29.

Those voting in the negative were:

Senators Alexander, Beck, Bird, Ellison, Humphreys, Kerns of Marion, Leyden, McDonald, McHugh, Rinear, Sweeney Vail, Wray. Total, 13.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 136 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Boord, Boyd, Bozeman, Collett, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White. Total, 28.

Those voting in the negative were:

Senators Beck, Bird, Gifford, Humphreys, McDonald, McKelvey, Parker, Rinear, Seller, Stuart, Sweeney. Total, 11.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senator Kern, who voted in the affirmative, gave notice that he would move the reconsideration of Senate Bill No. 136 next Monday.

Senator Leyden moved to adjourn.

Which motion was lost.

Senator Phares called up House Bill No. 132 on third reading.

The record showing that the bill was still in the hands of the Judiciary Committee, and the Chair ruled it out of order.

The Committee on Cities and Towns made the following report :

**MR. PRESIDENT :**

Your Committee on Cities and Towns, to which was referred Senate Bill No. 383, introduced by Senator Sweeney, begs leave to report the same back to the Senate with the recommendation that the same do pass.

JAMES O'BRIEN,  
Chairman.

Which report was concurred in.

Senate Bill No. 403 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Beck, Boord, Boyd, Bozeman, Collett, Cranor, Duncan, Ellison, Gostlin, Haggard, Holler, Houghton, Humphreys, Kern, Kerns, LaFollette, Leyden, McCord, McHugh, Manwaring, Newby, O'Brien, Parker, Phares, Schneek, Self, Shiveley, Stuart, Sweeney, Watson, White, Wray. Total, 32.

Those voting in the negative were :

Senators Johnston, McDonald, Seller, Vail. Total, 4.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.



Engrossed Senate Bill No. 225 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Beck, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McKelvey, Parker, Seller, Stuart, Sweeney. Total, 14.

Those voting in the negative were:

Senators Baker, Boord, Boyd, Bozeman, Collett, Cranor, Duncan, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, Manwaring, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White, Wray. Total, 25.

So the bill failed to pass.

The following message was received from the House.

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bills 639 and 628, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 639, entitled:

A bill for an act fixing the compensation and prescribing the duties of certain State and county officers, fixing certain fees to be taxed in the offices and the salaries of officers therein named, providing for certain employes in certain public offices and fixing their compensation, defining certain duties and liabilities of officers and persons therein named, providing for the distribution of certain moneys, making certain appropriations, declaring certain violations of the provisions of this act to be a misdemeanor and prescribing penalties therefor, providing the time when the same shall take effect as to certain officers therein named, and repealing all conflicting laws.

Read the first time and referred to the Committee on Fees and Salaries.

Engrossed House Bill No. 628, which was recalled by the House by House Resolution No. 101, was returned with the title amended to read as follows:

A bill for an act to correct the enrollment of "An act entitled an act fixing the compensation and prescribing the duties of certain State and county officers, and providing penalties for the violation of its provisions," passed, notwithstanding the objections of the Governor thereto, March 9, 1891.

Senator Shiveley moved that Engrossed House Bill No. 628 be referred to the Committee on Judiciary.

Senators Gifford and Parker demanded the ayes and noes.

Those voting in the affirmative were:

Senators Alexander, Baker, Boyd, Bozeman, Collett, Crumacker, Duncan, Haggard, Holler, Houghton, Humphreys, Johnston, Kerns of Vermillion, LaFollette, Leyden, McCord, Manwaring, Mull, Newby, O'Brien, Parker, Phares, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 32.

Those voting in the negative were:

Senators Boord, Cranor, Ellison, Gifford, Kern of Marion, McDonald, McKelvey. Total, 7.

So the bill was referred to the Judiciary Committee.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 303, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed Senate Bill No. 410 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Boord, Boyd, Bozeman, Collett, Duncan, Ellison, Gifford, Humphreys, Johnston, Kerns of Vermillion, Leyden, McCord, McDonald, Mull, Phares, Self, Shiveley, White, Wray. Total, 21.

Those voting in the negative were:

Senators Cranor, Houghton, Kern of Marion, LaFollette, McHugh, McKelvey, Manwaring, Newby, O'Brien, Parker, Seller, Stuart, Sweeney, Vail, Watson. Total, 15.

So the bill failed to pass for the want of a constitutional majority.

The Committee on Public Health, Vital and Other Statistics made the following report:

MR. PRESIDENT:

Your Committee on Public Health, Vital and Other Statistics, to which was referred Senate Bill No. 273, introduced by Senator Bethell, begs leave to report the same back to the Senate, with the recommendation that the bill do pass.

W. J. BETHELL,

Chairman.

Which report was concurred in.

Senator McCord moved that Senate Bill No. 165 be made a special order for Monday at 10 o'clock A. M.

Which motion prevailed.

Engrossed Senate Bill No. 346 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Baker, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gifford, Gostlin, Holler, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McDonald, McHugh, Manwaring, Mull, O'Brien, Parker, Phares, Self, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 33.

Senator Ellison voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senator Shiveley moved to suspend the call of bills for third reading.

Which motion prevailed.

The Committee on Education made the following report:

MR. PRESIDENT :

Your Committee on Education, to which was referred House Bill No. 291, introduced by Mr. Loring, begs leave to report the same back to the Senate, with the recommendation that it be indefinitely postponed.

H. C. DUNCAN,  
Chairman.

Which report was concurred in.

The Committee on Education made the following report

MR. PRESIDENT :

Your Committee on Education, to which was referred House Bill No. 106, introduced by Mr. Merritt, begs leave to report the same back to the Senate, with the recommendation that it be substituted for Senate Bill No. 134 and that when so substituted the same do pass.

H. C. DUNCAN,  
Chairman.

Which report was concurred in.

The Committee on Education made the following report :

MR. PRESIDENT :

Your Committee on Education, to which was referred Senate Bill No. 260, introduced by Senator Phares, begs leave to report the same back to the Senate with the recommendation that it be indefinitely postponed.

H. C. DUNCAN,  
Chairman.

Which report was concurred in.

The Committee on Education made the following report :

MR. PRESIDENT :

Your Committee on Education, to which was referred Senate Bill No. 134, introduced by Senator Shiveley, begs leave to report the same back to the Senate, with the recommendation that House Bill No. 106 be substituted for said bill and that when so substituted said bill do pass.

H. C. DUNCAN,  
Chairman.

Which report was concurred in.

The Committee on Education made the following report :

MR. PRESIDENT :

Your Committee on Education, to which was referred House Bill No. 384, introduced by Mr. McIntosh, would report that they have had the same under consideration and would recommend that it be substituted for Senate Bill No. 264, and that when so substituted that the same do pass.

H. C. DUNCAN,  
Chairman.

Which report was concurred in.

The Committee on Prisons made the following report :

MR. PRESIDENT :

Your Committee on Prisons, to which was referred Joint Resolution No 5, introduced by Senator Holler, begs leave to report the same back to the Senate, with the recommendation that the same be adopted.

W. H. WATSON,  
Chairman.

Which report was concurred in.

The Committee on Claims made the following report :

MR. PRESIDENT :

Your Committee on Claims, to which was referred Senate Bill No. 816, introduced by Senator Seller, begs leave to report the same back to the Senate with the recommendation that the same do pass.

WATSON,  
Chairman.

Which report was concurred in.

Senator LaFollette moved that House Bill No. 330 be made a special order for 11 : 30 A. M. on Monday.

Which motion prevailed.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 474, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

The following message was received from the Governor :

INDIANAPOLIS, IND., March 2, 1895.

MR. PRESIDENT :

By the direction of the Governor I hereby inform the Senate that he has signed Enrolled Senate Bills Nos. 48, an act concerning the incorporation of and government of cities having more than 100,000 population, also Senate Bill 54, an act to legalize certain sales of real estate made by county auditors, also No. 81, an act to legalize the incorporation of the town of

Greenville, Floyd County, also Senate Bill 106, an act to legalize the appointment of township trustees by boards of county commissioners in certain cases, also Senate Bill 207, an act concerning libel cases, also Senate Bill 252, an act amending an act concerning insurance companies, also Senate Bill 128, an act concerning the issuance of bonds by cities and towns, also Senate Bill 129, an act to regulate sewer improvements, and Concurrent Resolution No. 18, pertaining to swamp land funds.

Respectfully,

MYRON D. KING,

Private Secretary.

Senator Shiveley moved that Senate Bill No. 480 be made a special order for Monday at 3 o'clock p. m.

Which motion prevailed.

By request, Senator Self introduced Senate Bill No. 485, entitled :

A bill for an act authorizing cities in this State which have heretofore passed ordinances granting to water works companies the right to lay down pipes and water mains in and through the streets of said city, to erect water works for supplying such cities and the residents thereof with water, and which in such ordinances have retained the right to purchase any such water works with its property and rights at the end of a specified period, to issue bonds and secure the same by mortgage upon such water works property, its rights and franchise, and to levy a tax to guarantee the payment of the interest on such bonds, to provide for a sinking fund for the redemption of the same, for the regulation and government of said water works when so purchased by such cities, and to regulate other matters connected therewith, and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

Senator Baker moved that House Joint Resolution No. 1 be made a special order for Monday at 3:30 P. M.

Senators Gifford and McDonald demanded the ayes and noes.

Those voting in the affirmative were :

Senators Baker, Boord, Boyd, Bozeman, Collett, Duncan, Gostlin, Haggard, Holler, Kerns of Vermillion, LaFollette, Manwaring, Mull, Newby, O'Brien, Phares, Self, Shiveley, White. Total, 19.

Those voting in the negative were :

Senators Ellison, Gifford, Wray. Total, 8.

The roll-call showed no quorum present.

On motion of Senator LaFollette, the Senate adjourned.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.

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## MONDAY MORNING.

MARCH 4, 1895.

The Senate convened at 10 o'clock A. M., with Lieutenant-Governor Nye in the chair.

After a portion of the Journal had been read, on motion of Senator McDonald, the further reading of the same was dispensed with.



Substitute Senate Bill No. 165, which had been made a special order for this hour, was now taken up.

The bill was read the second time.

Senator Shiveley offered Amendment No. 1, as follows:

MR. PRESIDENT:

I move to amend Substitute Senate Bill No. 165 by inserting after the word "stock," in line 1 of section 2, the following words: "Except prepaid stock."

SHIVELEY.

Senator Cranor offered the following substitute for Amendment No. 1:

MR. PRESIDENT:

I move to amend section two (2) of Substitute Senate Bill No. 165 so as to read as follows: "All paid-up stock and stock non-participating in profit and losses of such building, loan fund or savings associations shall be subject to taxation."

CRANOR.

Senator Vail moved to reject the substitute offered by Senator Cranor.

Which motion was lost.

The substitute for Amendment No. 1 was then adopted.

Senator Houghton offered Amendment No. 2, as follows:

MR. PRESIDENT:

I move to amend Substitute Senate Bill No. 165 by striking out the words, "he deems it necessary," after the word "when-ever" in line 1 of section 4 thereof, and inserting in lieu thereof the following, "called upon by three or more stockholders of any association in this State."

HOUGHTON.

Senator Vail offered the following substitute for Amendment No. 2:

MR. PRESIDENT:

I move to amend Substitute Senate Bill No. 165 as follows: Add to section four (4), line thirteen (13), after the word "examination," the following words, "Provided, That such examination shall not be made oftener than once each year,

except upon petition of three stockholders, who shall, upon making such petition, execute a written undertaking, payable to such association, conditioned that should such examination fail to reveal any necessity therefor the petitioners will pay the entire expenses thereof."

VAIL.

Senator Shiveley moved to reject the substitute.

Which motion prevailed.

Senator McCord offered the following substitute for Amendment No. 2:

SEC. 4. That it shall be the duty of the Auditor of State to examine, or cause to be examined, by some competent agent to be by him appointed, not oftener than once a year, except on petition as now provided by law, each and every building, loan fund, saving or investment association incorporated under the laws of this State. Such examination to investigate the condition, working and affairs generally of each and every such corporation, and to this end the books, papers, records and assets of each and every such association shall be open to the inspection of such Auditor, or the person he may appoint as his agent, at all times during business hours. Such Auditor, or the person so appointed by him as his agent, shall have the power to examine any Director, officer or agent of such association under oath touching the affairs of such association.

SEC. 5. Should the Auditor of State, or the agent appointed by him, find any such corporation, association or society conducting its business, in whole or in part, contrary to law, or failing to comply with the law, he shall so notify the Board of Directors of such corporation, association or society in writing, and if, after thirty days, such illegal practice or failure continue, he shall report the facts to the Prosecuting Attorney of the county where such association is situated, who shall cause proceedings to be begun in the proper court to revoke the charter of such corporation, association or society.

SEC. 6. Should the Auditor of State, or the agent appointed by him, find, upon examination, that the affairs of any such corporation, association or society, are in an unsound condition, and that the interests of the public demand the dissolu-

tion of such corporation, association or society, and the winding up of its business, he shall so report to the Prosecuting Attorney of the county where such association is situated, who shall institute the proper proceedings for that purpose.

SEC. 7. For the services and expenses of said Auditor, or the agent appointed by him, in making such examination, said Auditor, or said agent, shall be entitled to charge and receive from each association so examined the following fees, and no more, viz.:

If the assets of the association are \$30,000, or under, fifteen dollars; if such assets exceed \$30,000, and are less than \$60,000, twenty dollars; if such assets are \$60,000, or over, and less than \$100,000, twenty-five dollars; if such assets are \$100,000, or over, and less than \$200,000, thirty dollars; if such assets are \$200,000, or over, and less than \$500,000, forty dollars; if such assets are \$500,000, or over, fifty dollars.

Senator Boyd moved that the further consideration of the bill and its amendments be indefinitely postponed.

Senator Newby moved to reject the motion.

Senators Kern and Newby demanded the ayes and noes.

Those voting in the affirmative were:

Senators Alexander, Beck, Bethell, Bird, Boord, Cranor, Ellison, Haggard, Holler, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McHugh, McKelvey, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Watson, Wray. Total, 32

Those voting in the negative were:

Senators Boyd, Bozeman, Collett, Crumpacker, Gifford, Johnston, McCutchan, McDonald, McLean, McManus, Vail, White. Total, 12.

So the motion prevailed.

Senator Shiveley moved to reject the substitute for Amendment No. 2 offered by Senator McCord.

Senators McHugh and Gifford demanded the ayes and noes.

Those voting in the affirmative were :

Senators Alexander, Bird, Boord, Boyd, Gifford, Houghton, Johnston, LaFollette, McCutchan, McDonald, McKelvey, McLean, McManus, Newby, O'Brien, Phares, Shiveley, Vail, Watson, White, Wray. Total, 21.

Those voting in the negative were :

Senators Beck, Bethell, Bozeman, Collett, Ellison, Haggard, Holler, Humphreys, Kern of Marion, Kerns of Vermillion, McCord, McHugh, Manwaring, Parker, Rinear, Schneck, Self, Seller, Stuart, Sweeney. Total, 20.

So the motion prevailed.

Senator Ellison offered the following substitute to Amendment No. 2 to substitute Senate Bill No. 165 :

MR. PRESIDENT :

I move the following :

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That it shall be the duty of the Auditor of State, to examine, or cause to be examined, by some competent agent to be by him appointed, not oftener than once a year, except on petition as now provided by law, each and every building, loan fund, saving or investment association incorporated under the laws of this State. Such examination to investigate the condition, working and affairs generally of each and every such corporation and to this end the books, papers, records and assets of each and every such association shall be open to the inspection of such Auditor, or the person he may appoint as his agent, at all times during business hours. Such Auditor, or the person so appointed by him as his agent, shall have the power to examine any director, officer or agent of such association under oath, touching the affairs of such association.

SEC. 2. Should the Auditor of State, or the agent appointed by him, find any such corporation, association or society conducting its business, in whole or in part, contrary to law, or failing to comply with the law, he shall so notify the Board of Directors of such corporation, association or society in writing, and if after thirty days such illegal practice or failure continue he shall report the facts to the Prosecuting Attorney, who shall cause proceedings to be begun in the proper court to revoke the charter of such corporation, association or society.

SEC. 3. Should the Auditor of State, or the agent appointed by him, find, upon examination, that the affairs of any such corporation, association or society are in an unsound condition, and that the interest of the public demand the dissolution of such corporation, association or society and the winding up of its business, he shall so report to the Prosecuting Attorney, who shall institute the proper proceedings for that purpose.

SEC. 4. For the services and expenses of said Auditor, or the agent appointed by him, in making such examination, said Auditor or said agent shall be entitled to charge and receive from each association so examined, the following fees, and no more, viz.:

If the assets of the association are \$30,000 or under, ten dollars; if such assets exceed \$30,000 and are less than \$60,000, fifteen dollars; if such assets are \$60,000 or over and less than \$100,000, twenty dollars; if such assets are \$100,000 or over and less than \$200,000, thirty dollars; if such assets are \$200,000 or over and less than \$500,000, forty dollars; if such assets are \$500,000 or over, fifty dollars.

SEC. 5. Whereas an emergency exists for the immediate taking effect of this act, therefore the same shall be in force from and after its passage.

Which substitute was rejected.

Amendment No. 2 was then adopted.

Senator Vail offered Amendment No. 3 to Substitute Senate Bill No. 165, as follows:

MR. PRESIDENT:

I move to amend Substitute Senate Bill No. 165 by adding thereto the following section, to be numbered six:

SEC. 6. It shall be unlawful from and after the taking effect of this act for any officer, agent or person to make any charge or receive any commission for obtaining a loan for any stockholder of any building, loan fund and savings association incorporated under the laws of the State of Indiana, and any person making such a charge or receiving any compensation what-

ever for obtaining such loan from such association or organization shall be deemed guilty of extortion, and upon conviction thereof shall be fined in any sum not exceeding one thousand dollars.

VAIL.

Which amendment was adopted.

Senator Shiveley demanded the previous question.

The Senate refused to second the demand.

Senator Vail offered Amendment No. 4, as follows :

MR. PRESIDENT :

I move to amend Substitute Senate Bill No. 165 as follows: By striking out the first eight (8) lines of section (1) and insert in lieu thereof the following words: "That any building, loan fund or savings association doing business in the State of Indiana shall hereafter credit all initiation, membership, transfer and withdrawal fees, fines, fees collected by agents soliciting stock, and the annual *pro rata* share of bonus paid for priority of loans, and all other charges except dues and payments made on principal of loans to."

Also by inserting in line thirteen (13) of section one (1) after the word "total" the word "reserve."

VAIL.

The amendment was rejected.

Senator Houghton offered Amendment No. 5, as follows :

MR. PRESIDENT :

I move to amend Substitute Senate Bill No. 165 by adding at the end of section five the following proviso :

*Provided*, That the provisions of this section relative to the negotiation of bonds, notes and mortgages, shall not apply to bonds, notes and mortgages taken from persons not members of such associations for money loaned to such persons.

HOUGHTON.

Which amendment was adopted.

Senator Phares, offered Amendment No. 6, to Substitute Senate Bill No. 165, as follows:

MR. PRESIDENT:

I move to amend section 3 of Substitute Senate Bill No. 165 as follows: Beginning at line 5, and strike out from the word "which" on said line 5, down to and including the word "paid" at line 7, and substituting therefor the following: Showing how much has been paid in salaries to officers, how much for clerks, rents, and office expenses, and all other expenses in classified form.

PHARES.

Which amendment was adopted.

Senator Baker, offered the following amendment to substitute No. 1, for Amendment No. 2:

MR. PRESIDENT:

I move to amend Substitute Senate Bill No. 165, by adding to the substitute section 2, offered by Senator Cranor, and adopted, the following words: "in excess of five hundred (\$500) dollars in the hands of any one person."

BAKER.

Which amendment was rejected.

Senator Shiveley offered Amendment No. 7, as follows:

MR. PRESIDENT:

I move to amend Substitute Senate Bill No. 165 by striking out lines one (1) and two (2) and so much of line three (3) ending with the word "loan" of section five (5) of said bill.

SHIVELEY.

Which amendment was rejected.

Senator Newby offered Amendment No. 8, as follows:

MR. PRESIDENT:

I move to amend Substitute Senate Bill No. 165 by inserting after the word "association" in line 10 in section 1, the following: "and that such expenses for the year shall not exceed a sum equal to five (5) per cent. of the sum collected from installments of dues upon the stock of such association during such year."

Engrossed Senate Bill No. 346 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gifford, Gostlin, Holler, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McDonald, McHugh, Manwaring, Mull, O'Brien, Parker, Phares, Self, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 33.

Senator Ellison voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senator Shiveley moved to suspend the call of bills for third reading.

Which motion prevailed.

The Committee on Education made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred House Bill No. 291, introduced by Mr. Loring, begs leave to report the same back to the Senate, with the recommendation that it be indefinitely postponed.

H. C. DUNCAN,  
Chairman.

Which report was concurred in.

The Committee on Education made the following report

MR. PRESIDENT:

Your Committee on Education, to which was referred House Bill No. 106, introduced by Mr. Merritt, begs leave to report the same back to the Senate, with the recommendation that it be substituted for Senate Bill No. 134 and that when so substituted the same do pass.

H. C. DUNCAN,  
Chairman.

Which report was concurred in.



The Committee on Education made the following report :

MR. PRESIDENT :

Your Committee on Education, to which was referred Senate Bill No. 260, introduced by Senator Phares, begs leave to report the same back to the Senate with the recommendation that it be indefinitely postponed.

H. C. DUNCAN,  
Chairman.

Which report was concurred in.

The Committee on Education made the following report :

MR. PRESIDENT :

Your Committee on Education, to which was referred Senate Bill No. 134, introduced by Senator Shiveley, begs leave to report the same back to the Senate, with the recommendation that House Bill No. 106 be substituted for said bill and that when so substituted said bill do pass.

H. C. DUNCAN,  
Chairman.

Which report was concurred in.

The Committee on Education made the following report :

MR. PRESIDENT :

Your Committee on Education, to which was referred House Bill No. 384, introduced by Mr. McIntosh, would report that they have had the same under consideration and would recommend that it be substituted for Senate Bill No. 264, and that when so substituted that the same do pass.

H. C. DUNCAN,  
Chairman.

Which report was concurred in.

The Committee on Prisons made the following report :

MR. PRESIDENT :

Your Committee on Prisons, to which was referred Joint Resolution No 5, introduced by Senator Holler, begs leave to report the same back to the Senate, with the recommendation that the same be adopted.

W. H. WATSON,  
Chairman.

Which report was concurred in.

Senators Newby and Vail demanded the ayes and noes.

Those voting in the affirmative were :

Senators Baker, Bird, Bozeman, Collett, Ellison, Haggard, Holler, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, McHugh, Manwaring, Newby, O'Brien, Parker, Phares, Sweeney, Watson, Wray. Total, 20.

Those voting in the negative were :

Senators Alexander, Boord, Boyd, Gifford, Houghton, LaFollette, Leyden, McCord, McCutchan, McDonald, McLean, McManus, Mull, Rinear, Shiveley, Stuart, Vail, White. Total, 18.

So the amendment was adopted.

Senator Vail offered Amendment No. 9, as follows :

MR. PRESIDENT :

I move to amend Substitute Senate Bill No. 165, by striking out all of section 3 after the word "statement" in line 9 of section 3.

VAIL.

Which amendment was rejected.

The bill was then ordered engrossed.

Senator McCord moved that the constitutional rule requiring bills to be read on three several days be suspended, that the bill be considered engrossed, read the third time now and put upon its passage.

Those voting in the affirmative were :

Senators Alexander, Baker, Beck, Bethell, Bird, Boord, Bozeman, Ellison, Haggard, Holler, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, McCord, McHugh, Manwaring, Mull, Newby, O'Brien, Parker, Phares, Rinear, Self, Shiveley, Stuart, Sweeney, Watson, Wray. Total, 29.

Those voting in the negative were :

Senators Boyd, Collett, Cranor, Crumpacker, Gifford, Johnston, LaFollette, Leyden, McCutchan, McDonald, McKelvey, McLean, McManus, Schneck, Vail, White. Total, 16.

So the constitutional rule was not suspended.

Senator Watson moved that the bill be printed and that it be made a special order for to-morrow at 10 o'clock A. M.

Which motion prevailed.

The Committee on Enrolled Bills made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills, to which was referred Senate Enrolled Bill No. 371, introduced by Senator McLean, begs leave to report that they have compared the enrolled bill with the bill as passed by the Senate and find the same to be correct.

VAIL,  
Chairman.

The President of the Senate reported that he has signed Senate Enrolled Bill No. 371.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 140, 631, 432 and 588, and Senate Bill No. 360, with amendments to title, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 140, entitled :

An act to regulate travel on the public highways, and to provide penalties for its violation, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 631, entitled :

An act to amend section 40 of an act entitled an act concerning elections, providing penalties for the violation of the same, and repealing all laws in conflict therewith, approved March 6, 1889.

Read the first time and referred to the Committee on Elections.

Engrossed House Bill No. 432, entitled :

A bill for an act levying an annual State tax for the purpose of raising revenue for the General Fund, Benevolent and Reformatory Institution Fund; the School Revenue for Tuition Fund, and State Debt Sinking Fund of the State Treasury; providing for the application of any unappropriated balance in the General Fund to the payment of the principal of the public debt, repealing all conflicting laws and declaring an emergency.

Read the first time and referred to the Committee on Finance.

Engrossed House Bill No. 588, entitled :

A bill for an act making appropriations for the State government and its institutions, making certain specific appropriations, directing the application of such appropriations, requiring accounts to be kept by the fiscal years of the State, and repealing inconsistent laws.

Read the first time and referred to the Committee of the Whole and ordered printed.

Engrossed House Amendment to Senate Bill No. 360 :

MR. SPEAKER :

I move to amend the title of Senate Bill No. 360 so as to read as follows :

"An act to amend sections three (3), eight (8), twelve (12), twenty (20), twenty-one (21) and thirty-two (32) of an act entitled an act to incorporate the town of Vernon, Jennings County, Indiana," approved January 22, 1851, and declaring an emergency.

Senator Haggard moved that House Bills Nos. 432 and 588 be printed.

Which motion prevailed.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 583, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 583, entitled:

An act to provide for the appointment of Commissioners to locate the important positions occupied by Indiana soldiers in and during the Battles of Chickamauga, Lookout Mountain and Missionary Ridge, select and locate places for monuments to be erected as memorials for the respective organizations of Indiana soldiers who fought there, to procure and supervise the erection of such monuments upon Chickamauga and Chattanooga National Military Park, to provide for participation in the Park dedication ceremonies of September 19 and 20, 1895, to perform all other duties naturally incident and appertaining to such work, to make an appropriation therefor, and legalizing the action of the Governor in appointing said Commission in advance of the passage of this act, and declaring an emergency.

Read the first time and referred to the Committee on Military Affairs.

Special Order Engrossed House Bill No. 330 was read the second time.

Senator Kern offered Amendment No. 1, as follows:

MR. PRESIDENT:

I move to amend Engrossed House Bill No. 330, by striking out the word "September" in line 6 of section 1 and inserting in lieu thereof the word "July."

KERN.

Senator Watson moved to reject the amendment.

Senators Kern and Wray demanded the ayes and noes.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Baker, Bethell, Boord, Bozeman, Collett, Cranor, Crumpacker, Gostlin, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McOutchan, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White. Total, 26.

Those voting in the negative were :

Senators Alexander, Beck, Bird, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McKelvey, Parker, Rinear, Seller, Stuart, Sweeney, Wray. Total, 16.

So the amendment was rejected.

Senator Kern offered Amendment No. 2, as follows :

MR. PRESIDENT :

I move to amend Engrossed House Bill No. 330 by adding after the word "maps" in line 20 of section 1 the words "lightning rods, hay forks and patent churns."

KERN.

Which amendment was rejected.

The bill passed to the third reading.

Senator Collett moved that Engrossed House Bill No. 65 be made the special order for 2:30 P. M. to-morrow afternoon.

Which motion was lost.

Senate Joint Resolution No. 1, which was made a special order for this hour, was now taken up.

The Committee on Revision of the Constitution made following report :

MR. PRESIDENT :

Your Committee on Revision of the Constitution, to which was recommitted Senate Joint Resolution No. 1, introduced by Senator O'Brien, begs leave to report the same back to the Senate, with the recommendation that said joint resolution be amended as follows :

Strike out the following words: "Section 2. The Supreme Court shall consist of not less than nine nor more than fifteen Judges, a majority of whom shall form a quorum. They shall hold their offices for six years if they so long behave well," being lines 6, 7 and 8 in said joint resolution, and insert the following: "Section 2. The Supreme Court shall consist of not less than seven nor more than sixteen Judges, but the number must be seven, ten, thirteen or sixteen. The court may sit in division or in bank, and shall always be open for the transaction of business. When the number of Judges is seven there shall be two divisions, denominated divisions one and two, respectively; and when there are ten Judges there shall be three divisions, denominated divisions one, two and three, respectively; and when there are thirteen Judges there shall be four divisions, denominated divisions one, two, three and four, respectively; and when there are sixteen Judges there shall be five divisions, denominated divisions one, two, three, four and five, respectively."

The Judges shall, on the first day of each term of court, elect one of their number Chief Justice, who shall act as such for said term.

The Chief Justice shall, on his election, assign three Judges to each division and such assignment may be changed by him from time to time: *Provided, however,* That no two of the Judges shall sit in the same division more than one term of court in any period of two years. The Chief Justice shall be a member of each division, and the presiding Judge thereof, when present. The Judges shall be competent to sit in either division and may interchange with each other by order of the Chief Justice. When a Judge in any division is absent or incompetent, or declines to sit for any cause, a Judge from one of the other divisions shall sit in said cause. Each of the divisions shall have jurisdiction to hear and determine the causes, and all questions arising therein, subject to the provisions hereinafter contained in relation to the court in bank. The presence of three Judges shall be necessary to the transaction of any business in either division, except such as may be done at chambers, and the concurrence of three Judges shall be necessary to pronounce judgment in any division.

The Chief Justice shall apportion the business of the several divisions. Any four of the Judges may order any cause pending before the court in bank. This order may be made before or after judgment, pronounced by a division, but the order, if made after judgment is pronounced, must be made within sixty days from the date of filing the opinion in the cause, and if so made shall vacate and set aside the judgment. No judgment shall be final until the expiration of sixty days from the filing of the opinion in the cause, within which time the same may be vacated or set aside, and a rehearing may be granted at any time: *Provided*, A petition therefor be filed by some person who is a party within sixty days after the opinion in said cause is filed. The Chief Justice or any four of the Judges may convene the court in bank at any time, and the Chief Justice shall be the presiding Judge of the Court when so convened. A majority of the Judges shall constitute a quorum when sitting in bank, and a concurrence of a majority of all the Judges of the Court shall be necessary to pronounce judgment in bank.

The Judges assigned to each division shall, at the first meeting after their assignment to their respective divisions, select one of their number as Presiding Judge, who shall preside in such divisions when the Chief Justice is not present.

All cases in which the constitutionality of a statute, Federal or State, is in question, and such question is duly presented, the jurisdiction shall be in the court in bank, and shall not be determined in a division.

Each Judge elected shall hold his office for the term of six years, if he so long behaves well, and each Judge of said Court in office at the date of the taking effect of this section shall continue in office until the expiration of the term for which they were respectively elected or appointed.

And that section 3, of article 7, be amended to read as follows, and the same is now agreed to and referred to the General Assembly of said State to be chosen at the next general election, viz.:

SEC. 3. The State shall be divided into as many districts as there are Judges of the Supreme Court, and such districts shall be formed of contiguous territory as nearly equal in population



as without dividing a county, the same can be made. One of said Judges shall be elected by each district, and shall reside therein." And when so amended that the same do pass.

O. A. BAKER,  
Chairman.

Which report was concurred in.

Engrossed Senate Joint Resolution No. 1 :

A Joint Resolution to amend section two (2) of article seven (7), of the Constitution of the State of Indiana; be it—

*Resolved by the General Assembly of the State of Indiana, That the following proposed amendments to the Constitution of the said State be and the same is now agreed to, and referred to the General Assembly of said State to be chosen at the next general election :*

Amend section two (2), of article seven (7), of said Constitution to read as follows:

Section 2. The Supreme Court shall consist of not less than seven, nor more than sixteen, Judges, but the number must be seven, ten, thirteen, or sixteen.

The Court may set in division or in bank, and shall always be open for the transaction of business.

When the number of Judges is seven, there shall be two divisions, denominated divisions "one" and "two" respectively. And when there are sixteen Judges there shall be five divisions, denominated "one," "two," "three," "four" and "five," respectively.

The Judges shall, on the first day of each term of court, elect one of their number Chief Justice, who shall act as such for said term.

The Chief Justice shall, on his election, assign three Judges to each division, and such assignment may be changed by him from time to time: *Provided, however, That no two of the Judges shall sit in the same division more than one term of court in any period of two years.*

The Chief Justice shall be a member of each division, and the presiding Judge thereof when present.

The Judges shall be competent to sit in either division, and may interchange with each other by order of the Chief Justice.

When a Judge in any division is absent or incompetent, or declines to sit for any cause, a Judge from one of the other divisions shall sit in said cause.

Each of the divisions shall have jurisdiction to hear and determine the cause and all questions arising therein, subject to the Court in bank.

The presence of three Judges shall be necessary to the transaction of any business in either division, except such as may be done at chambers, and the concurrence of three Judges shall be necessary to pronounce judgment in any division.

The Chief Justice shall apportion the business of the several divisions. Any four of the Judges may order any cause pending before the Court to be heard and decided by the Court in bank.

This order may be made before or after judgment is pronounced by a division, but the order, if made after judgment is pronounced, must be made within sixty days from the date of filing the opinion in the cause and, if so made, shall vacate and set aside the judgment.

No judgment shall be final until the expiration of sixty days from the filing of the opinion in the case, within which time the same may be vacated or set aside, and a rehearing may be granted at any time: *Provided*, A petition therefor be filed by some person who is a party, within sixty days after the opinion in the cause is filed.

The Chief Justice or any four of the Judges may convene the Court in bank at any time, and the chief presiding Judge of the Court when convened.

A majority of the Judges shall constitute a quorum when sitting in bank, and a concurrence of a majority of all the Judges of the Court shall be necessary to pronounce judgment in bank.

The Judges assigned to each division, shall, at the first meeting after the assignment to their respective divisions, select one of their number as presiding Judge, who shall preside in such divisions when the Chief Justice is not present. All cases in which the constitutionality of a statute, Federal or State is in question, and such question is duly presented, the jurisdiction shall be in the court in bank, and shall not be determined in division.

Each Judge elected shall hold his office for the term of six years, if he so long behaves well, and each Judge of said court, in office, at the date of the taking effect of this section shall continue in office until the expiration of the term for which they were respectively elected or appointed. And that section 8, of article seven (7), be amended to read as follows: "and the same is agreed to, and referred to the General Assembly of the State to be chosen at the next general election, viz.: Section 8. The State shall be divided into as many districts as there are Judges of the Supreme Court, and such districts shall be formed of contiguous territory as nearly equal in population as without dividing a county, the same can be made, one of said Judges shall be elected by each district and shall reside therein.

*Resolved*, That in submitting this amendment to the electors of the State to be voted on, it shall be designated as amendment No. 1.

The resolution was read the third time.

The question being upon the adoption of the resolution.

Those voting in the affirmative were :

Senators Baker, Beck, Bethell, Boord, Boyd, Bozeman, Collett, Crumpacker, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, O'Brien, Parker, Phares, Schneck, Self, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 87.

Those voting in the negative were:

Senators Humphreys, Johnston, Rinear. Total, 3.

So the resolution was adopted.

The title as read was ordered to stand as the title to the resolution.

Special Order Engrossed House Bill No. 622 was now taken up.

The question being, Shall the minority report be substituted for the majority report.

Those voting in the affirmative were:

Senators Beck, Bird, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Sweeney, Wray. Total, 18.

Those voting in the negative were:

Senators Baker, Bethell, Boyd, Bozeman, Cranor, Crumacker, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Schneck, Shiveley, Vail, Watson, White. Total, 25.

So the minority report was rejected.

The majority report was adopted.

On motion of Senator Newby the bill was read the second time.

Senator Kern offered Amendment No. 1 to House Bill No. 622:

MR. PRESIDENT:

I move to amend Engrossed House Bill No. 622 by striking out the word "Johnson" in line 1 of section 9, and inserting the word "Johnsou" after the word "Morgan" in line 2 of section 7.

**KERN.**

Senator Boyd moved to reject the amendment.

Senators Kern and Beck demanded the ayes and noes.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Baker, Bethell, Boyd, Bozeman, Collett, Cranor, Crumpacker, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Schneck, Shiveley, Vail, White. Total, 25.

Those voting in the negative were :

Senators Beck, Bird, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Sweeney, Wray. Total, 18.

So the amendment was rejected.

Senator McLean offered Amendment No. 2 to House Bill No. 622.

MR. PRESIDENT :

In the interest of harmony and good feeling I move to recommit the bill to the Committee on Congressional Apportionment, with instructions to so amend the bill as not to place any two or more of the Congressmen-elect in the same district.

McLEAN.

Senator Newby moved to reject the amendment.

Senators Wray and McHugh demanded the ayes and noes.

Those voting in the affirmative were :

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Seller, Shiveley, Vail, Watson, White. Total, 27.

Those voting in the negative were :

Senators Beck, Bird, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Stuart, Sweeney, Wray. Total, 17.

So the amendment was rejected.

Senator Shiveley moved to make the bill a special order for 10:30 A. M. to-morrow morning.

Which motion prevailed.

Special Order Senate Bill No. 480 was read the second time.

Senator Shiveley offered Amendment No. 1, as follows :

MR. PRESIDENT :

I move to amend Senate Bill No. 480 by inserting after the word "Superintendent" in printed bill, in line 1 of section 7, the following, "and conformation of."

SHIVELEY.

The amendment was adopted.

The bill was ordered engrossed.

Senator Shiveley moved that the bill be made a special order for 11 o'clock A. M. to-morrow morning.

Which motion prevailed.

Senator Kern offered the following resolution :

MR. PRESIDENT :

I move that Engrossed House Bill No. 165, known as the Nicholson Bill, be made a special order for Tuesday, March 5, at 3 o'clock P. M., and that the Committee on Temperance be required to have said bill before the Senate either with or without recommendation at that hour.

KERN.

Senators Kern and McDonald demanded the ayes and noes.

The roll was called, which resulted as follows :

The question being on the adoption of the resolution.

Those voting in the affirmative were :

Senators Baker, Beck, Bethell, Boyd, Bozeman, Collett, Cranor, Gifford, Houghton, Humphreys, Johnston, Kern of Marion, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, O'Brien, Rinear, Self, Stuart, Sweeney, White, Wray. Total, 26.

Those voting in the negative were :

Senators Bird, Crumpacker, Gostlin, Haggard, Holler, Kerns of Vermillion, McCutchan, Shiveley, Vail, Watson. Total, 10.

So the resolution was adopted.

The Committee on Enrolled Bills made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills, to which was referred Senate Enrolled Bill No. 474, introduced by Senator Watson, begs leave to report that they have compared the enrolled bill with the bill as passed by the Senate and find the same to be correct.

VAIL,  
Chairman.

The President of the Senate announced that he had signed Enrolled Senate Act No. 474.

The Committee on Enrolled Bills made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills, to which was referred Senate Enrolled Bill No. 303, introduced by Senator Seller, begs leave to report that they have compared the enrolled bill with the bill as passed by the Senate and find the same to be correct.

VAIL,  
Chairman.

The President of the Senate announced that he had signed Senate Enrolled Act No. 303.

House Joint Resolution No. 1, which was made a special order for to-day was now taken up.

The question being on the adoption of the resolution.

These voting in the affirmative were :

Senators Baker, Bethell, Boyd, Bozeman, Collett, Cranor, Crumpacker, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, Manwaring, Mull, Newby, O'Brien, Phares, Shiveley, Vail, Watson, White. Total, 24.

Those voting in the negative were :

Senators Alexander, Beck, Bird, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McHugh, McKelvey, Rinear, Seller, Stuart, Sweeney, Wray. Total, 16.

So the resolution was not adopted for want of a constitutional majority.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bills Nos. 57 and 163, and House Bill No. 224, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,

Clerk.

Engrossed House Bill No. 224, entitled:

An act to regulate the employment of women and children in manufacturing establishments, and to provide for the appointment of inspectors to enforce the same.

Read the first time and referred to the Committee on Judiciary.

The President of the Senate announced that he had signed Enrolled House Acts Nos. 57, 101, 306 and 525.

The Judiciary Committee made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 43, introduced by Senator Boyd, begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,

Chairman.

Senator Boyd moved to reject the report.

Which motion was lost.

The Senate then refused to concur in the report of the Committee.



Engrossed Senate Bill No. 288 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Beck, Bird, Bozeman, Collett, Cranor, Gifford, Gostlin, Haggard, Holler, Johnston, Kern of Marion, Kerns of Vermillion, McCutchan, McDonald, McHugh, McKelvey, McLean, O'Brien, Parker, Phares, Rinear, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 31.

Senators Houghton, Humphreys, LaFollette and Mull voting in the negative. Total, 4.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

House Bill No. 128 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Beck, Bethell, Boord, Boyd, Bozeman, Collett, Crumpacker, Gifford, Gostlin, Haggard, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 41.

Senator Holler voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

On motion of Senator Leyden the Senate adjourned.

MORTIMER NYE,

President of the Senate.

WILLIAM S. ENNES,

Assistant Secretary of the Senate.

## TUESDAY MORNING.

MARCH 5, 1895.

The Senate convened at 10 o'clock A. M., with Lieutenant-Governor Nye in the chair.

After a portion of the Journal had been read, on motion of Senator Watson the further reading of the same was dispensed with.

Senator McCord moved that the consideration of Substitute Senate Bill No. 165, which was made a special order for 10 o'clock to-day, be postponed until 3 o'clock P. M. to-day.

Which motion prevailed.

The Committee on Cities and Towns made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred Senate Bill No. 481, introduced by Senator McCutchan, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

JAMES O'BRIEN,  
Chairman.

The Committee on Cities and Towns made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred House Bill No. 46, introduced by Mr. Moore, begs leave to report the same back to the Senate with the recommendation that the same do pass.

JAMES O'BRIEN,  
Chairman.

Which report was concurred in.

Senator O'Brien moved to make the bill a special order for 10 o'clock to-morrow morning.

Which motion prevailed.

Senator Leyden moved that the Committee on Temperance be given until to-morrow morning at 10 o'clock to make a report on House Bill No. 165, which was made a special order for to-day at 3 o'clock p. m.

Senators Kern and McDonald demanded the ayes and noes.

Those voting in the affirmative were:

Senators Bethell, Bird, Boyd, Bozeman, Collett, Crumpacker, Duncan, Ellison, Haggard, Holler, Houghton, Humphreys, Johnston, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McHugh, McLean, Manwaring, Mull, O'Brien, Parker, Phares, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 35.

Those voting in the negative were:

Senators Alexander, Baker, Beck, Gifford, Kern of Marion, McDonald, McKelvey, McManus, Newby, Rinear. Total, 10.

Which motion prevailed.

Engrossed House Bill No. 384 was read the second time and ordered to the third reading.

House Bill No. 65 was read the second time and ordered to the third reading.

Senator Newby moved to make the bill a special order for 4 o'clock to-morrow.

Which motion prevailed.

House Bill No. 442 was read the second time and ordered to the third reading.

Senator Watson moved to make the bill a special order for 4:30 p. m. to-morrow.

Which motion prevailed.

Senator McHugh moved to make Senate Bill No. 40 a special order for to-day at 4:30 p. m.

Which motion prevailed.

Senator Seller rose to a question of personal privilege, and moved that a committee of five Senators be appointed to inquire into the loss of Enrolled Senate Bill No. 303.

Which motion prevailed.

The President announced that he has appointed on the committee to investigate the loss of Enrolled Senate Bill No. 303, Senators Cranor, Newby, Baker, Leyden and Gifford.

Senator Gostlin moved to reconsider the vote by which the consideration of Senate Bill No. 40 was made a special order for 4:30 P. M. to-day.

Which motion prevailed.

The question recurring on the original motion to make the bill a special order for 4:30 P. M. to-day.

Senator Wray moved to amend the motion by making the time 4:30 P. M. to-morrow.

Which amendment was lost.

The original motion was also lost.

Special Order Engrossed House Bill No. 622 was read the third time.

Senator Haggard demanded the previous question.

The demand was seconded by the Senate.

The question being, Shall the main question now be put?

Those voting in the affirmative were :

Senators Baker, Bethell, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kern of Marion, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White. Total, 29.

Those voting in the negative were :

Senators Alexander, Barnes, Beck, Bird, Ellison, Gifford, Humphreys, Johnston, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Sweeney, Wray. Total, 19.

So the main question was ordered.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Bethell, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Mull, Manwaring, Newby, O'Brien, Phares, Schneck, Shiveley, Vail, Watson, White. Total, 27.

Those voting in the negative were:

Senators Alexander, Barnes, Beck, Bird, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Sweeney, Wray. Total, 20.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The Committee on Enrolled Bills made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills, to which was referred Senate Enrolled Bills Nos. 360 and 163, begs leave to report that they have compared the enrolled bills with the bills as passed by the Senate and find the same to be correct.

VAIL,  
Chairman.

The President of the Senate announced that he had signed Senate Enrolled Acts Nos. 360 and 163.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 335, 41, 623, 219, 251, 298 and 216, also Senate Bill No. 211 and amended Senate Bill No. 18 and Senate Bill 119, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 335, entitled :

A bill for an act to amend section one (1) of an act entitled an act to amend section one (1) of an act entitled an act to amend one (1) and three (3) of an act to provide for the repairs of free turnpike roads in the various counties of Indiana, and constituting the Board of Commissioners of any county in this State a Board of Directors of such roads, approved March 24, 1879, being sections 5104 and 5106 of the Revised Statutes of 1881, approved March 6, 1883, approved March 4, 1893, and declaring an emergency.

Read the first time and referred to the Committee on Roads.

Engrossed House Bill No. 41, entitled :

A bill for an act for the protection and encouragement of Horticulture, to prevent depredations thereon, and defining certain crimes and misdemeanors in relation thereto.

Read the first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 623, entitled :

A bill for an act to amend section one (1) of an act entitled "An act fixing the salaries of Judges of the Circuit and Superior Courts of this State and when the same shall be paid, and providing in what manner the Judges in counties containing cities of a certain population, such salaries may be increased and how and when such increase shall be paid, and declaring an emergency," approved March 4, 1893, and declaring an emergency.

Read the first time and referred to the Committee on Fees and Salaries.

Engrossed House Bill No. 219, entitled :

A bill for an act defining the crime of rape and providing a penalty for the violation thereof, and repealing all laws in conflict therewith.

Read the first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 251, entitled :

A bill for an act to amend section twelve (12) of an act entitled "An act for the incorporation of building, loan fund and savings associations," which became a law by lapse of time without the Governor's signature, March 11, 1885, and fixing penalties for the violation of the provisions of this act.

Read the first time and referred to the Committee on Corporations.

Engrossed House Bill No. 298, entitled :

An act authorizing the transfer of insane persons from the State prisons to the insane asylums of the State, and declaring an emergency.

Read the first time and referred to the Committee on Prisons.

Engrossed House Bill No. 216, entitled :

A bill for an act authorizing cities in this State which have heretofore passed ordinances granting to water works companies the right to lay down pipes and water mains in and through the streets of said city, to erect water works for supplying such cities and the residents thereof with water, and which in such ordinance have retained the right to purchase any such water-works, with its property and rights, at the end of a special period, to issue bonds and secure the same by a mortgage upon such water-works property, its rights and franchises, and to levy a tax to guarantee the payment of the interest on such bonds, to provide for a sinking fund for the redemption of the same, for the regulation and government of said water-works when so purchased by such city, and to regulate other matters connected therewith, providing that the provisions of the same shall apply to cities having not less than eight thousand nor more than twenty-five thousand population, according to the census of 1890.

Read the first time and referred to the Committee on Judiciary.

Engrossed House Amendments to Senate Bill No. 13 :

By inserting after the word "Commissioner," in line 8 of section 7, the words "and as a Board of Turnpike Directors," and after the word "Commissioner," in line 9 of said section, the words "and as such Turnpike Directors."

By striking out the words "repair and construct," in line 10 of section 2 of said bill, and inserting in lieu thereof the words "and cause to be repaired and constructed," and by striking out all of section 2 after the words "repair and construct," in line 11 of said section, and by inserting in lieu thereof the following words: "*Provided, however, That said Commissioners may employ an expert or competent person to inspect, prepare plans for or superintend the construction of any bridge, public building or work, whenever, in their opinion, such employment is necessary, but they shall at the time of such employment file, or cause to be entered of record, a statement of the necessity for such employment.*"

And by striking out the words "any other person" in line 3 of section 4, and inserting in lieu thereof the words "either of said Commissioners."

By striking out the words "such person" in line 4 of said section 4, and inserting in lieu thereof the words "either of them," and by adding the word "each" to said section, and by striking out the word "violating" in line 1 of section 5, and inserting in lieu thereof these words, "making any allowance or receiving any money or article of value or compensation in violation of."

Senator Bird moved that the House Amendments to Senate Bill No. 13 be concurred in.

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johuston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 46.

None voting in the negative.

So the amendments were concurred in.



The President of the Senate announced that he had signed Enrolled Senate Act No. 11.

The Committee on Military Affairs made the following report:

MR. PRESIDENT:

Your Committee on Military Affairs, to which was referred House Bill No. 583, begs leave to report the same back with the recommendation that the same do pass.

McCUTCHAN,  
Chairman.

Which report was concurred in.

Senator Boyd offered the following resolution, and moved its adoption:

MR. PRESIDENT:

*Resolved*, That the Committee appointed to investigate the charges preferred against Superintendent Johnson, of the Feeble Minded Institution at Ft. Wayne, be allowed the following expenses, to wit:

The Randall hotel for board .....	\$21 50
Hack hire.....	1 00
	<hr/>
	\$22 50
To Senator A. M. Sweeney, railroad fare and hack hire.	4 10
To Senator White, railroad fare and incidental expenses .....	6 10
To G. W. Faucett, Doorkeeper of the Senate, to subpoenaing twenty-three witnesses.....	21 65
To G. W. Faucett, livery hire.....	4 00
To G. W. Faucett, Dr., to expenses paid deputy R. E. White .....	6 00
To telephone and telegraph expenses, in favor of G. W. Faucett .....	1 60
To Tewry J. Cullen, proprietor of the Denison Hotel, or general manager .....	50 00
	<hr/>
Total .....	\$115 95
To Miss Anna Springer, special stenographer.....	20 00
	<hr/>
Total .....	\$135 95

*Resolved*, That the President of the Senate and the Assistant Secretary be directed to draw the warrants on the Auditor of State for the expenses above indicated, in the Ft. Wayne investigation.

Respectfully submitted,  
THOS. E. BOYD,  
Chairman.

The question being upon the adoption of the resolution.

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 46.

None voting in the negative.

So the resolution was adopted.

The Committee on Benevolent Institutions made the following report :

MR. PRESIDENT :

Your Committee on Benevolent Institutions having visited the School for Feeble-Minded Youth, at Fort Wayne, submitted the following report :

The number enrolled January 31 was 502, and the number of employes 93. During the last biennial period the population of this institution has been largely increased through a readjustment of dormitories and by the colonization of a number of the larger and stronger boys upon a farm which has been leased by the Board of Trustees. The leasing of the farm has proved a highly successful experiment. The large boys are by this means given healthful outdoor employment and at the same time the institution is saved a large expenditure for vegetables, cereals, milk, etc. The first year of operation of the farm has shown a large profit, and succeeding years are expected to increase the value and importance of the farm as an adjunct to the institution work.

The institution has been twice visited by your committee during the present legislative session and in both instances has been found to be in an excellent state of cleanliness and order. The health of the inmates is as good as can be expected, considering the fact that a large proportion of them are defective in body, as well as in mind. The work of the school during the past biennial period has been in some degree hampered because of insufficient hospital facilities. It is important that the capacity of the hospital shall be increased. For the purpose of purchasing the barn which is now held under lease and for the necessary extension of the hospital facilities your committee recommends an appropriation of \$30,000.

Certain charges having been made against the superintendent, Mr. Alexander Johnson, a sub-committee went to Fort Wayne and made a thorough investigation at the institution. Most of the charges were not sustained. Your committee, however, desires to speak particularly of the results of inquiries made concerning the charges in one or two instances. It was shown and frankly admitted by Superintendent Johnson himself, that under provocation he had said and done certain things in anger, which, in the opinion of the committee, were unwise and unnecessary. It is shown by the Superintendent's own statement that on one occasion he said to the matron, Mrs. M. E. Orr, that she had lied. Upon another occasion, in an impulse of anger, Mr. Johnson drenched a feeble-minded boy named Jack Frost with water from the hose and immediately afterward whipped him severely.

In each of these instances there is little doubt that justice might have been done, and discipline maintained in a manner more in accord with the dignity and reputation of both the Superintendent and the institution. It was also charged that on one occasion a casket containing the body of a boy, who had died in the school, was buried in the institution cemetery without the protection of a suitable box. In this instance, it appears from the evidence and from the statements of the Superintendent, the matter of making a suitable box for the casket was forgotten until within an exceedingly short time prior to the hour for interment. When the matter was thought of a crude and insufficient substitute for a box was hastily constructed and used. It would have been better to have post-

poned the hour of burial than to have resorted to this unsatisfactory device. From the evidence it appears that this particular instance was the only one of the kind which has occurred. Aside from the instances here given, your committee believes that the management of the School for Feeble-Minded has been capable and efficient, and that the interests of the inmates have been carefully and faithfully guarded.

Because of the acknowledged ability of the Matron, Mrs. Orr, for the discharge of the duties of her position, we believe that it is highly desirable that the friction which in the past has existed between her and Superintendent Johnson should be carefully avoided in future, in order that it may not be necessary for her connection with the institution to be severed.

THOS. E. BOYD,  
Chairman.

Which report was concurred in.

Engrossed House Bill No. 480, which was made a special order for 8:30, was now taken up.

The bill was read a third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White. Total, 29.

Those voting in the negative were:

Senators Alexander, Barnes, Beck, Bird, Ellison, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Sweeney, Wray. Total, 19.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The Committee on Enrolled Bills made the following report :

**MR. PRESIDENT :**

Your Committee on Enrolled Bills, to which was referred Senate Enrolled Bill No. 119, introduced by Senator Watson, begs leave to report that they have compared the enrolled bill with the bill as passed by the Senate and find the same to be correct.

VAIL,  
Chairman.

The President of the Senate announced that he had signed Senate Enrolled Act No. 119.

Senator Shiveley moved that when the Senate adjourns it adjourn to meet at 9 o'clock to-morrow morning.

Which motion prevailed.

Senator Vail moved that Enrolled Senate Bill No. 360 be recalled from the Governor.

Which motion prevailed.

Senator Shiveley moved that Engrossed House Bill No. 330 be taken up.

Engrossed House Bill No. 330 was read the third time.

The question being, Shall the bill pass ?

Those voting in the affirmative were :

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Schneek, Self, Shiveley, Vail, Watson, White. Total, 28.

Those voting in the negative were :

Senators Alexander, Barnes, Beck, Bird, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Sweeney, Wray. Total, 20.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The Committee on Enrolled Bills made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills, to which was referred Senate Enrolled Bill No. 211, introduced by Senator Watson, begs leave to report that they have compared the enrolled bill with the bill as passed by the Senate and find the same correct.

VAIL,  
Chairman.

President of the Senate reported that he had signed Senate Enrolled Act No. 211.

Senate Bill No. 475 was read the second time.

Senator Stuart moved that the constitutional rule be suspended, that the bill be considered engrossed and read a third time now and placed upon its passage.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were:

Senators Baker, Barnes, Beck, Bethell, Bird, Boord, Bozeman, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonauld, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Shiveley, Stuart, Sweeney, Vail, White, Wray. Total, 42.

None voting in the negative.

So the constitutional rule was suspended.

Senator Shiveley moved to recommit the bill to the Committee on Cities and Towns.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Collett, Crumpacker, Duncan, Gostlin, Haggard, Holler, Kerns of Vermillion, McCord, McCutchan, Mull, Phares, Schneck, Self, Shiveley, White. Total, 15.

Those voting in the negative were :

Senators Alexander, Barnes, Beck, Bird, Boord, Boyd, Bozeman, Cranor, Ellison, Gifford, Houghton, Humphreys, Johnston, Kern of Marion, LaFollette, Leyden, McDonald, McHugh, McKelvey, McLean, McManus, O'Brien, Parker, Rinear, Seller, Stuart, Sweeney, Vail, Watson, Wray. Total, 30.

So the bill was not referred back to the committee.

The bill was considered engrossed and read a third time by sections and put upon its passage.

The question being, Shall the bill pass ?

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Ellison, Gifford, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Seller, Schneck, Stuart, Sweeney, Watson, Wray. Total, 41.

Those voting in the negative were :

Senators Shiveley, Vail, White. Total, 3.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The following message was received from the House :

**MR. PRESIDENT :**

I am directed by the House to inform the Senate that the House has passed House Enrolled Act No. 157, notwithstanding the Governor's veto, which enrolled act, together with the veto message, are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

EXECUTIVE DEPARTMENT,  
INDIANAPOLIS, IND. }

*House of Representatives of the State of Indiana, Hon. Justus C. Adams, Speaker :*

Herewith I return without my approval House Bill No. 157, being "An act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same among the several counties of the State, and to repeal all laws in conflict therewith."

I will not here go into a detailed review of the objections that could properly be urged against this bill, as to its numerous inequalities, its glaring injustice and gross unfairness in the purpose sought to be accomplished. The one great and insurmountable objection to this proposed law is the violation of the constitutional provision as to the time for performing this act. I am fully convinced that this act would be unconstitutional and invalid.

The time when a thing may be done, even if prescribed by statute is mandatory. Thus, the time when a term of court may be holden or when a city election may be held being fixed by law, an order or judgement of the Court made at a time not authorized would be wholly void and an election held at any different time than that appointed, although it might be in every other respect regular, would be held null and void.

This is not because the particular day or time is specially adapted to the thing to be done, but because such day or time has been by law designated and appointed for that purpose, which all men are by the rule of our law bound to know and to notice, and this public notice and knowledge can not be thwarted by the choice of a different time. The time when a thing may be done being designated by statute, is not only imperative, but it is also exclusive. It forbids the execution of such thing at any other time, and if, nevertheless, the act be done at a different time, it becomes of itself nugatory and invalid.

If what is prescribed as to the time when a thing is to be done, by mere statute is binding and obligatory, much more so is a constitutional provision. A constitutional provision prescribing such time is even of greater force and obligation.



The Constitution is an enactment of the whole people, and it is superior in degree to mere legislative enactments. The Constitution is, should and must be for us, the law of laws. It is the supreme and paramount law of the State, and should be reverently and sacredly regarded. Every citizen of the State, by reason of his residence and domicile therein, is bound to obey the Constitution; every officer in the State is bound to something more than obedience; every member of the General Assembly is sworn to support the Constitution, that is, to maintain and uphold it. We have voluntarily taken upon ourselves this special duty and obligation of supporting and maintaining the organic law of our State; and this function involves not only an assent to, or an acquiescence in its provisions, but that we should defend its provisions against all attacks, against any attempt to evade or avoid them, against every breach or violation of them, else we shall be recreant to our highest trust. The time when Senators and Representatives are to be apportioned among the several counties is prescribed by the Constitution. The time so fixed is stated in these words "at the session next following each period of making such enumeration." The phrase "such enumeration," in section 5, refers to the enumeration provided for in section 4, which immediately precedes section 5, upon the subject of apportionment. It will be seen that the time when an apportionment may lawfully be made is at the session next following each period of enumeration. This, then, enumeration is a condition precedent to apportionment. It is a necessary and indispensable condition precedent. Enumeration determines two things: first, the whole number of votes in the State; second, the whole number of voters in each of the counties, without which no ratio of apportionment can be fixed, and without such ratio there can be no apportionment. As, without doubt, enumeration is a condition precedent to apportionment, so apportionment is a necessary sequence to enumeration. It is not a general sequence, something which may follow at any time afterwards, but it is a sequence specially limited as to time by the utmost care and force of verbal expression, "the session next following each period of such enumeration."

The provision that enumeration shall precede apportionment is imperative, but it is no more imperative than the provision that apportionment shall succeed enumeration at "the session

next following." An apportionment made at any other session than that "next following" would be as lawless, as unauthorized and as revolutionary as an apportionment without any enumeration at all.

The same constitutional power, paramount and supreme, which commanded that an apportionment should be made, commanded also when it should be done. There was the same sovereign right to prescribe the time when the same should be done as to command the doing of the act itself. Before the statute declared and appointed a day for city or town elections the time when they might be holden would have been wholly a matter of discretion with these municipal authorities. But as the law now directs, when such elections are to be held the local city or town boards have no discretion whatever. These elections must be held at the time appointed.

The constitutional convention of our State, when in session, had entire control of the subject of apportionment and of the time when it should be made. They might have left the time without any order or commandment concerning the same. But although this time in question was wholly a matter of discretion with the convention, it is not a matter of discretion with the Legislature, and can not be since the Constitution appoints a time, verbal criticism is sometimes made upon the terms of the Constitution.

It is said that the term "may" is construed to mean "must," and that it indicates a power granted, either discretionary or imperative, according to the context. But the word "may" does not once occur in sections one, two, three, four, five or six of article four. These are the only sections relating to apportionment. The term always used is "shall." Thus, "shall be vested" in the first section, "shall not exceed" in the second, "shall be elected" in the third, "shall cause" in the fourth, "shall be fixed" in the fifth, "shall be composed of" and "shall ever be divided" in the sixth section.

All these provisions are imperative. It would be just as competent for the Legislature to treat as discretionary the language of the sixth section, "that no county for Senatorial apportionment shall ever be divided," and proceed to divide them, as to make an apportionment at any other time than "at the session next following each period of such enumeration."

The word "must" does not occur in these provisions, nor in any other.

The term "shall" has always been held to be its full equivalent in constitutional interpretation. "Shall" has never been construed to mean "may" in any such interpretation. There might be, it is true, very extraordinary circumstances in our legislative history which would justify the amendment of an apportionment act at a subsequent session.

As for example, where the Supreme Court of our State had decided that an act of apportionment, made at the proper time, had been otherwise defective. But no such judgment or decision had been made respecting the apportionment law now upon the statute books, and there is no such emergency presented for our consideration. My duty and yours are the same. We are bound in the most solemn manner not only to obey, but to support and uphold the Constitution of our State.

We have taken no oath to disregard or destroy it. We have neither power nor authority to annul or abrogate any portion of the supreme law of the land. Let us with sacred care observe all our constitutional obligations. These forgotten, lightly treated, or wantonly violated, will lead us surely to evils, the results of which to us as a people will be difficult to conceive or to remedy.

Let us not be tempted, either through hope for individual or party gain, to disregard the commands of that instrument, the true basis principle of man's freest and best government.

CLAUDE MATTHEWS,  
Governor.

Senator Watson moved that the Enrolled House Act No. 157 be passed, notwithstanding the objections of the Governor to the contrary.

Those voting in the affirmative were:

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Schneek, Self, Shiveley, Vail, Watson, White. Total, 29.

Those voting in the negative were :

Senators Alexander, Barnes, Beck, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Wray. Total, 18.

So the Enrolled House Act No. 157 was passed, notwithstanding the Governor's objections.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Enrolled Act No. 156 notwithstanding the Governor's veto, which enrolled act, together with the veto message, are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

*To the House of Representatives of the State of Indiana, Hon.  
Justus C. Adams, Speaker :*

House Bill No. 156, which repeals an act approved March 4, 1893, apportioning the number of Senators and Representatives to the General Assembly of the State of Indiana, I return without my approval. The same objections presented to you yesterday in returning House Bill No. 157 apply with equal force to this bill, and for these reasons should not be enacted. Both of these bills are so clearly in violation of the Constitution of our State that you should hesitate, as representatives of the people, to ignore or treat lightly its provisions.

CLAUDE MATTHEWS,  
Governor.

Senator Shiveley moved that House Enrolled Act No. 156 be passed notwithstanding the Governor's objections to the contrary.

Those voting in the affirmative were :

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler.

Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White. Total, 29.

Those voting in the negative were :

Senators Alexander, Barnes, Beck, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Sweeney, Wray. Total, 19.

So Enrolled House Act No. 156 was passed notwithstanding the Governor's objections to the contrary. .

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 591, 638, 647, 505, 629, 516 and 651 and Senate Bill No. 26 and amended Senate Bill No. 205, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 591, entitled :

A bill for an act concerning the release and return of the prisoners from the prisons, defining the duties of the clerks of the prisons and the Sheriffs of the several counties of this State; prescribing the punishment for the violation thereof; repealing all laws and parts of laws in conflict herewith.

Read the first time and referred to the Committee on Prisons.

Engrossed House Bill No. 638, entitled :

A bill for an act to amend section one (1) of an act entitled an act for the protection of birds, their nests and eggs, approved March 5, 1891.

Read the first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 647, entitled :

An act to amend sections one and three of an act entitled "An act providing for a general system of common schools in all cities of thirty thousand or more inhabitants, and for the election of a Board of School Commissioners for such cities, and defining their duties and prescribing their powers and providing for common school libraries within such cities," approved March 3, 1871, providing for the appointment of School Commissioners in such cities, defining their powers, repealing all laws in conflict therewith, and declaring an emergency.

Read the first time and referred to the Committee on Education.

Engrossed House Bill No. 505, entitled :

A bill for an act to amend sections 3, 4, 7 and 41 of an act entitled "An act concerning elections, providing penalties for the violation of the same and repealing all laws in conflict therewith, approved March 6, 1889."

Read the first time and referred to the Committee on Elections.

Engrossed House Bill No. 629, entitled :

A bill for an act to prevent the changing, alteration or otherwise interfering with any bill, resolution or other record of the General Assembly of the State of Indiana, or of either house thereof, prescribing penalties therefor and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 516, entitled :

A bill for an act to amend sections 248, 249, 250, 251 and 252 of an act entitled "An act concerning taxation, repealing all laws in conflict therewith, and declaring an emergency, approved March 6, 1891."

Read the first time and referred to the Committee on Finance.

Engrossed House Bill No. 651, entitled :

A bill for an act to legalize the incorporation of the town of Brooks in Newton County, in the State of Indiana, and to legalize the election and official acts of the Board of Trustees and other officers of said town, and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

Engrossed House Amendment to Senate Bill No. 205, as follows :

MR. SPEAKER :

Your Committee on Roads, to which was referred Senate Bill No. 205, introduced by Mr. Seller of Montgomery County, the same being a bill for an act entitled, "An act to amend sections 1, 2, 5, 6, 7, 8 and 10 of an act entitled, 'An act concerning the construction of free gravel, stone or other macadamized roads, providing for their location, the manner of their construction, and providing for the payment of the same, and their maintenance,' and declaring an emergency," begs leave to report the same back to the House with the recommendation that section 4 be amended by striking out all after the word "of" in line 25 of section 4 of Senate Bill, down to and including the word "townships" in line 28, and insert therein the following words, "each township in the same ratio that the assessed valuation of all the property in each township bears to the assessed valuation of all the property in all the townships through which the said road or roads run."

That section 3 be amended by striking out all after line 3' and inserting the following words :

Section ——. For the purpose of raising money to pay for such construction, the Board of Commissioners shall issue the bonds of the county for the full amount of the contract, in denominations not less than fifty dollars each, in ten equal series, the first series payable in one year, the second series in two years, the third series in three years, the fourth series in four years, the fifth series in five years, the sixth in six years, the seventh in seven years, the eighth in eight years, the ninth in nine years, the tenth in ten years from the fifteenth day of November after the date of their issue, said bonds bearing interest not higher than five per cent. per annum, and interest

thereon to be paid annually on the 15th day of November. The County Treasurer shall sell bonds at not less than their face value, and the proceeds shall be kept as a separate and specific fund to pay for the construction of the particular road or roads for which they were issued, and shall be paid by him to the contractor upon warrant of the Auditor as directed by the Board of Commissioners. The Commissioners shall order the same to be paid in such amounts and at such times as they may agree, but no payment shall be made by the Commissioners for more than eighty per cent. of the engineer's estimate of work done by the contractor, nor shall the whole amount of the contract be paid until the road shall have been received as completed by the Board of Commissioners.

After being so amended the bill do pass.

McCREA,  
Chairman.

Senator Seller moved to concur in the House amendments to Engrossed Senate Bill No. 205.

Those voting in the affirmative were:

Senators Baker, Barnes, Beck, Bethell, Boord, Boyd, Bozeman, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 46.

None voting in the negative.

So the amendments were concurred in.

The President of the Senate announced that he had signed Enrolled House Bills Nos. 97 and 477.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 646 and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.



Engrossed House Bill No. 646, entitled :

A bill for an act authorizing cities in this State having a population of more than two thousand and less than two thousand two hundred, as shown by the census of 1890, to grant and convey any market square, market place, public square, fractional piece of ground or public park owned or held by such city, and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

Senator Barnes moved to concur in the House Amendments to Engrossed Senate Bill No. 860.

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bird, Boord, Bozeman, Collett, Cranor, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kerns of Vermillion, LaFollette, Leyden, McCord, McDonald, McKelvey, McLean, McManus, Mull, O'Brien, Parker, Phares, Rinear, Self, Seller, Stuart, Sweeney, Vail, Watson, White. Total, 38.

None voting in the negative.

So the amendments were concurred in.

Senator Haggard moved that Engrossed House Bill No. 384 be made a special order for 9 o'clock to-morrow morning.

Which motion prevailed.

Senator Haggard moved that Engrossed House Bill No. 583 be made a special order for 2 o'clock to-morrow afternoon.

Which motion prevailed.

The Committee on Elections made the following report :

MR. PRESIDENT :

Your Committee on Elections, to which was referred Engrossed House Bill No. 631, introduced by Mr. Thomas, begs leave to report the same back to the Senate, with the recommendation that the bill do pass.

H. Q. HOUGHTON,  
Chairman.

Which report was concurred in.

thereon to be paid annually on the 15th day of November. The County Treasurer shall sell bonds at not less than their face value, and the proceeds shall be kept as a separate and specific fund to pay for the construction of the particular road or roads for which they were issued, and shall be paid by him to the contractor upon warrant of the Auditor as directed by the Board of Commissioners. The Commissioners shall order the same to be paid in such amounts and at such times as they may agree, but no payment shall be made by the Commissioners for more than eighty per cent. of the engineer's estimate of work done by the contractor, nor shall the whole amount of the contract be paid until the road shall have been received as completed by the Board of Commissioners.

After being so amended the bill do pass.

McCREA,  
Chairman.

Senator Seller moved to concur in the House amendments to Engrossed Senate Bill No. 205.

Those voting in the affirmative were:

Senators Baker, Barnes, Beck, Bethell, Boord, Boyd, Bozeman, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 46.

None voting in the negative.

So the amendments were concurred in.

The President of the Senate announced that he had signed Enrolled House Bills Nos. 97 and 477.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 646 and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 646, entitled :

A bill for an act authorizing cities in this State having a population of more than two thousand and less than two thousand two hundred, as shown by the census of 1890, to grant and convey any market square, market place, public square, fractional piece of ground or public park owned or held by such city, and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

Senator Barnes moved to concur in the House Amendments to Engrossed Senate Bill No. 360.

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bird, Boord, Bozeman, Collett, Cranor, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kerns of Vermillion, LaFollette, Leyden, McCord, McDonald, McKelvey, McLean, McManus, Mull, O'Brien, Parker, Phares, Rinear, Self, Seller, Stuart, Sweeney, Vail, Watson, White. Total, 38.

None voting in the negative.

So the amendments were concurred in.

Senator Haggard moved that Engrossed House Bill No. 384 be made a special order for 9 o'clock to-morrow morning.

Which motion prevailed.

Senator Haggard moved that Engrossed House Bill No. 583 be made a special order for 2 o'clock to-morrow afternoon.

Which motion prevailed.

The Committee on Elections made the following report :

MR. PRESIDENT :

Your Committee on Elections, to which was referred Engrossed House Bill No. 631, introduced by Mr. Thomas, begs leave to report the same back to the Senate, with the recommendation that the bill do pass.

H. Q. HOUGHTON,  
Chairman.

Which report was concurred in.

Senator Wray moved that House Bill No. 68 be made a special order for 9:30 o'clock to-morrow.

Which motion prevailed.

Engrossed House Bill No. 397 was read a second time.

Senator Stuart moved that the constitutional rule requiring bills to be read on three several days be suspended, the bill be considered engrossed and read a third time and put upon its passage.

The question being, Shall the constitutional rule be suspended?

Those voting in the affirmative were:

Senators Ellison, Gifford, Holler, Johnston, Kern of Marion, McKelvey, Manwaring, Parker, Sweeney. Total, 9.

Those voting in the negative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Bozeman, Crumpacker, Duncan, Gostlin, Haggard, Houghton, Humphreys, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McLean, McManus, Mull, O'Brien, Phares, Rinear, Self, Seller, Shiveley, Stuart, Vail, Watson, White, Wray. Total, 84.

So the constitutional rule was not suspended.

Senator Kern moved that Senate Bill No. 421 be made a special order for 11:30 o'clock to-morrow morning.

Which motion prevailed.

The Committee on Judiciary made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred Senate Bill No. 484, introduced by Senator Newby, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Parker moved to adjourn.

Senators Watson and Houghton demanded the ayes and noes.

Those voting in the affirmative were :

Senators Alexander, Barnes, Beck, Crumpacker, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McKelvey, McLean, Manwaring, Parker, Rinear, Seller, Stuart, Sweeney. Total, 18.

Those voting in the negative were :

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Duncan, Ellison, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White, Wray. Total, 29.

The motion to adjourn was lost.

Substitute Senate Bill No. 165, which had been made a special order for this hour, was now taken up.

Senator McCord moved to recommit the bill to the Committee on Corporations, with instructions to amend.

Which motion prevailed.

The Committee on Corporations made the following report :  
MR. PRESIDENT :

Your committee, to which was referred Substitute Senate Bill No. 165 for amendment, reports that the amendment offered by Senator Newby is stricken out, and that the words from "the," in line 10, section 1, to and including the word "act," in line 11, section 1, are stricken out.

BOORD,  
Chairman.

Which report was concurred in.

The bill was read the third time.

On motion of Senator Baker, the Senate adjourned.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.

## WEDNESDAY MORNING.

MARCH 6, 1895.

The Senate convened at 9 o'clock A. M. with Lieutenant Governor Nye in the chair.

Prayer was offered by the Rev. Dr. Nichols, of Indianapolis.

After a portion of the Journal had been read, on motion of Senator Houghton the further reading of the same was dispensed with.

Senator Houghton moved that Senate Bill No. 393 be made a special order for 5 o'clock P. M. to-day.

Which motion prevailed.

The following message was received from the Governor:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has signed Senate Bill No. 142, an act in relation to Probate Commissioners; Senate Bill No. 303, an act in relation to horse racing, and Senate Bill 371, an act for the relief of certain Trustee in Vigo County.

Respectfully,

MYRON D. KING,

Private Secretary.

The Committee on Cities and Towns made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred House Bill No. 651, introduced by Mr. Spitler, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

JAMES O'BRIEN,

Chairman.

Which report was concurred in.

The Committee on Railroads made the following reports:

MR. PRESIDENT:

A majority of your Committee on Railroads, to which was referred House Bill No. 27, introduced by Mr. Spitler, begs leave to report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

J. W. CRUMPACKER,  
O. A. BAKER,  
W. H. WATSON,  
J. E. McDONALD.

MR. PRESIDENT:

A minority of your Committee on Railroads, to which was referred House Bill No. 27, introduced by Mr. Spitler, begs leave to report the same back to the Senate with the recommendation that the same do pass.

BOORD,  
MULL,  
WRAY.

Senate Resolution No. 29, providing for five days extra time for the Journal force in which to complete the Journal, was read the second time.

Senate Resolution No. 30, making extra allowance to janitors of the Senate, was read the second time.

Engrossed House Bill No. 89 was read the second time and ordered to the third reading.

Engrossed House Bill No. 325 was read the second time and ordered to the third reading.

The Committee on Insurance made the following report :

MR. PRESIDENT :

Your Committee on Insurance, to which was referred En-grossed House Bill No. 164, having had the same under consideration, begs leave to report, as follows :

That the said bill be amended as indicated in the typewritten copy attached hereto, together with the amendments to said copy, as indicated in the type-written amendments attached thereto, and that said bill as thus amended do pass.

O. A. BAKER,  
J. T. WHITE,  
J. M. SELLER,  
W E. McCORD.

Amend type written copy, House Bill No. 164, as follows :

*First.* Amend section five (5) by striking out the words, "with all practicable diligence," and insert in lieu thereof the following words, "within thirty days."

*Second.* Amend section five (5) by inserting after the words, "shall be liable in his," the following words, "official and."

*Third.* Amend section seven (7) by inserting after the words, "Supervision and suspension," the following words, "and shall be entitled to the same fees."

*Fourth.* Strike out section eight (8) and insert in lieu thereof the following :

Section 8. No policy shall be issued by any company organized under this law until it shall have taken and be possessed of not less than one hundred thousand dollars in bona fide premium notes and twenty thousand dollars in cash, or in lieu thereof shall have a like amount of assets of a cash value of at least one hundred thousand dollars, all of which shall be first examined and approved by the Auditor of State. The Secretary of State shall not issue the certificate provided for in the second section of this act until he shall have received from the Auditor of State a certificate showing such examinations and approval: *Provided, however,* That in any town of less than four thousand population a company may be formed to insure only dwelling houses, farm buildings and their contents within such town, and may issue policies when fifty thousand dollars of insurance has been subscribed for.



*Fifth.* Strike out of section twelve (12), page ten (10), after the words "with a guaranteed capital stock of less than," the following words, "twenty five," and insert in lieu thereof the following words, "one hundred."

*Sixth.* Add section seventeen (17), as follows:

Section 17. Nothing in this act shall be so construed as to amend or repeal any existing law.

*Seventh.* Renumber section seventeen (17) as section eighteen (18).

House Bill No. 164, entitled:

An act to authorize the organization and incorporation of Mutual Insurance Companies, and defining their powers, rights and duties, and other matters connected therewith, repealing all laws in conflict therewith, and declaring an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* That any number of persons not less than ten (10) may associate themselves together and become incorporated for the purpose of transacting business as an insurance company upon complying with the provisions of this act; and any company so formed, and its successors, shall be entitled to the rights and privileges and subject to the duties and obligations herein prescribed: *Provided, however,* That companies already organized and in active operation shall not be affected by this act.

Sec. 2. The proceedings for organizing such corporation, shall be as follows: The proposed corporators who must be residents of the State, and not less than ten (10) in number, shall subscribe articles of association, setting forth their intentions to form a corporation, its proposed name, which must not so closely resemble the name of any existing corporation as to be likely to mislead the public, the class of insurance it proposes to transact, and on what business plans or principles, and if on the guarantee stock plan, the amount of its guarantee stock. The first meeting for the purposes of organization shall be called by notice, issue by one or more of the subscribers to the articles of association, stating the time, place and purpose of the meeting, a copy whereof shall, seven days at least, before the appointed time, be given to each subscriber, or left at his usual place of business, or residence, or duly mailed to his post-office address, and whoever gives such notice shall make re-

port thereof, which shall include a copy of the notice and be entered upon the records of the corporation. At such first meeting, including any adjournment thereof, an organization shall be affected by the choice by ballot of a temporary clerk, by the adoption of by-laws, and by the election of directors, and such other officers as the by-laws may require; but at such first meeting, no person shall be elected a director, who has not signed the articles of association. The temporary clerk shall record the proceedings until and including the choice and qualification of the secretary. The directors so chosen shall elect a president, secretary, and any other officers who, under the by-laws, they are entitled to choose. The president, secretary, and a majority of the directors, shall forthwith make, sign and certify to a certificate setting forth a copy of the articles of association, with the names of the subscribers thereto, the date of the first meeting, and of any and all adjournments thereof, and shall file such certificate in the office of the Secretary of State for the State of Indiana, who, upon payment of a fee of twenty-five (\$25) dollars, shall cause the certificate to be recorded and shall issue to the officers of said association a certificate in the following form :

#### STATE OF INDIANA.

Be it known that whereas (here insert the names of the subscribers to the articles of association) have associated themselves together with the intention of forming a corporation under the name of (here insert the name of the corporation), with a guaranteed capital of (here the amount of guarantee capital fixed in the articles of association shall be inserted), and have complied with the provisions of the statutes of the State of Indiana, in such cases made and provided, as appears from the certificate of the President, Secretary and directors of said corporation, recorded in their office. Now, therefore, I (here the name of the Secretary of State shall be inserted), Secretary of State for the State of Indiana, do hereby certify that said (here the names of the subscribers to the articles of association shall be inserted), their associates and successors are legally organized and established as, and are hereby made an existing corporation under the name of (here the name of the corporation shall be inserted) with the powers, rights and privileges, and subject to the duties, liabilities and restrictions, which by law appertain hereto.

Witness my official signature, hereunto subscribed and the seal of the State of Indiana hereunto affixed, this — day of — in the year —.

(In these blanks the day, month and year of execution of the certificate shall be inserted, and in the case of purely mutual companies, as much as relates to guarantee capital stock, shall be omitted.) The Secretary shall sign the same, and cause the seal of the State to be thereunto affixed, and such certificate shall be conclusive evidence of the organization and establishment of such corporation. He shall also cause a record of such certificate to be made and a certified copy of such record may be given in evidence with like effect as the original certificate.

SEC. 3. Every person insured by a Mutual Fire Insurance Company shall be a member while his or her policy is in force, entitled to one vote for each policy he or she holds, and shall be notified of the time and place of holding its meetings of members by a written notice or by an imprint upon the back of each policy, receipt or certificate of renewal, as follows, to wit: (The assured is hereby notified that by virtue of this policy he or she is a member of the Insurance Company, and that the annual meetings of said company are holden at its home office on the — day of — in each year at — o'clock — m). The blanks shall be duly filled in print, and the same shall be deemed a sufficient notice. A corporation which becomes a member of such company may authorize any person to represent it in such company, and such representative shall have all the rights of an individual member. Any person holding property in trust may insure the same in such company, and as such trustee assume the liabilities and be entitled to the rights of a member, but shall not be personally liable upon such contract of insurance. Members may vote by proxy, executed within three months, and recorded on the books of the company ten days or more before the meeting at which they are to be used; but no officer, director, agent or member, shall himself or by another, ask for, receive, procure to be obtained, or use more than five (5) proxy votes, every such company shall elect by ballot a board of not less than seven directors, who shall manage and conduct its business, and who shall hold office for one year, or for such time as

the by-laws may provide, in accordance with section 2 and until their successors shall have been duly elected and regularly qualified. Two-thirds, at least, of the directors shall be citizens of the State of Indiana continuously during their term of office, and after the first election members only shall be eligible, but no director shall be disqualified from serving the term he was chosen for by reason of the expiration or cancellation of his policy: *Provided*, That in companies with a guarantee capital, a majority of the directors shall be chosen by and from the guarantee stockholders. Five or more of the directors shall constitute a quorum for the transaction of business. Vacancies in any office may be filled in such manner as the by-laws shall provide.

SEC. 4. The directors shall annually choose by ballot a President, who shall be a member of the Board, a Secretary, a Treasurer, who may also be the Secretary, and such other officers as the by-laws provide. They may call special meetings of the corporations when they see fit, of which each member shall have such notice as the by-laws provide, and shall call such meetings upon the written request of twenty members or of the owners of one-fifth of the guarantee capital, setting forth the purposes of such called meeting. The Treasurer shall give bond with surety, in such sum as the by-laws or directors may require, and, together with the President and Vice-President, if there be one, and a Secretary, shall be duly sworn and their oath duly entered of record on the books of the company.

The President or, in his absence, the Vice-President, shall preside at all the meetings of the directors or members. In the absence of both a President *pro tempore* may be chosen. The Secretary shall keep a record of the votes, whether cast in person or by proxy, and the other proceedings of the meetings of the directors and of the members; a true list of the holders of the guarantee capital, if any, the number of shares owned by each, and a record of all transfers of such shares; and shall record all policies issued and all authorized assignments, transfers and cancellations thereof, and such other books and records as the President and directors may require. The records so kept shall be evidence of the transactions to which they relate, and for making any willfully false record the

Secretary shall be deemed guilty of the crime of perjury. Such records shall be open to inspection by any person interested therein.

SEC. 5. No director or other officer of a mutual fire insurance company shall, either officially or privately, give a guarantee to a policy holder thereof against any assessment to which he would otherwise be liable. If the directors of any such company shall neglect or omit, for the space of six months, to levy and collect with all practicable diligence any assessments they are required to make by sections 11 and 14, they shall be personally liable for all debts and claims then outstanding against the company, or that may accrue until such assessment is made and put into process of collection. If the Treasurer of such company unreasonably neglects to collect an assessment made by order of the directors and to apply the same to the payment of the claims for which it was made, he shall be liable in his private capacity to the party having such claim to the extent of the amount of the assessment, and he may repay himself out of any money afterwards received for the company on account of such assessment. When sufficient property of any such company can not be found to satisfy an execution issued against it, and it has property belonging to the period assessed, the proceeds of which can be applied to satisfy such execution, if the directors neglect to pay the same, or neglect for thirty days after the rendition of judgment to make an assessment and deliver the same to the Treasurer for collection, or to apply such assessment when collected to the payment of the execution, they shall be personally liable for the amount of the execution. When the directors of any such company are liable to pay an execution against it, the creditor may recover the same by a suit against the director. A director who pays an execution against the company, for which he is personally liable, may have a suit for contribution against any of the directors for their proportion, and also may bring suit against the company or the individual members thereof to the extent of their several liabilities to assessment therefor.

SEC. 6. Mutual fire insurance companies organized under this act may insure property in any of the towns, cities or counties in the State of Indiana, and such companies as have a

guarantee capital or which insures manufacturing property, lumber and other manufactured articles only, may insure property located in any part of the United States.

SEC. 7. No insurance company shall issue in any one town of less than twenty-five thousand inhabitants, on property other than dwelling houses and their contents, farm buildings and their contents, an amount exceeding its net assets. And when from any cause a company has at risk, in any town or city, an amount as aforesaid in excess of its net assets, it shall forthwith, by re-insurance or by cancellation of policies and return of unearned premium thereon to the insured, reduce the amount of insurance to the authorized limit. But no policy shall be cancelled until after notice to the holder. Every company organized under this act shall, on or before the first day of February in each year, return to the Auditor of State a sworn statement of the amount taken or held by it at risk in each town or city on the 31st day of December next preceding. The Board of Directors of every such company shall, by the first day of February of each year, file with the Auditor of State a statement, verified by oath and designed by a majority of them, which shall be attested by the secretary setting forth the amount of guarantee capital stock, if any there be, and how the same is invested; the number of policies issued and the amount insured; the nature and kind of risks taken; the losses sustained and the condition of the assets and liabilities of the company. The Auditor of State shall have the same power of supervision and suspension as is provided in the case of other companies doing business in the State of Indiana.

SEC. 8. No policy shall be issued by a purely mutual fire insurance company until not less than three hundred thousand dollars of insurance, in not less than one hundred separate risks, have been subscribed for and entered on its books, except that in any town of less than four thousand population a company may be formed to insure only dwelling houses, farm buildings and their contents, within such town, and may issue policies when fifty thousand dollars of insurance has been subscribed for: *Provided, however,* No company having a guarantee capital shall be authorized to issue any policy until fifty per centum of its guarantee capital shall have been paid in cash to the treasurer of the company and receipted for by him.

SEC. 9. No insurance company shall knowingly issue any fire insurance policy upon property within the State of Indiana, or within any other State wherein it may be transacting business for any amount which, together with any existing insurance thereon, exceeds the fair value of the property, nor for a longer term than seven years.

SEC. 10. Where, by an agreement with the insured, or by the terms of the fire insurance policy, taken out by a mortgagee, or mortgagees of the property, or for their benefit, the company shall, upon satisfactory proof of the right and title of parties, in accordance with such terms and agreements, pay all mortgagees protected by such policy, in the order of their priority of claim, as their claim shall appear on record, not beyond the amount for which the company is liable, and such payment shall be to the extent thereof, payment and satisfaction of the liability of the company under such policy and period.

SEC. 11. Mutual fire insurance companies, except as provided in section fourteen hereof, shall charge and collect, upon their policies, a full mutual premium in cash, or note absolutely payable. Any such company may, in its by-laws and policies, fix the contingent mutual liability of its members, for the payment of its losses and expenses not provided for by its cash funds: *Provided*, That such contingent liability of a member shall in no case be greater than a sum equal to and in addition to the cash premium written in this policy, if any liability be declared, shall be plainly and legibly stated upon the back of each policy.

SEC. 12. The stockholders of the guarantee capital of a company organized under this act shall be entitled to a semi-annual dividend of not more than five per cent. on the respective shares, if the net profit left after all expenses, losses and liabilities then incurred, together with the reserve for re-insurance, are provided for, shall be sufficient to pay the same, and if any dividend is less than five per cent., the deficiency may be made up when such net profits become sufficient therefor. After the payment of such dividend, three-fourths of the residue of net profits shall be credited to, and divided among the insured at the expiration of their policies, and one-fourth shall be re-invested and be a special reserve for the payment of

losses and other liabilities, when the other cash funds, exclusive of the re-insurance reserve, are exhausted; but when such reserve equals six per cent. of the amount of insurance, all the net profit, after the payment of such dividends to shareholders, not needed to maintain the reserve at that limit, shall be divided among the insured, at the expiration of their policies. The guarantee capital shall be applied to the payment of losses, only when the cash funds, not appropriated to the reserve for re-insurance, are exhausted, and if it is thus impaired at any time, by the payment of losses, such impairment shall be made good from the earliest accumulations of the special reserve, or the Directors may make good the whole, or any part of it, by an assessment upon the contingent funds of the company, at the date of such impairment: *Provided, however,* No company organized hereunder, except it be a purely mutual company, without guarantee capital, shall be organized with a guarantee capital stock of less than twenty-five thousand dollars, which guarantee capital stock shall be paid in within eighteen months from the time of its subscription in such installments as the Directors may require, and such stock shall be transferable and assignable on the books of the company, in such manner as the by-laws may prescribe.

SEC. 13. The directors, or other officers making or authorizing an investment or loan in violation of the laws of the State of Indiana, or of the by-laws of this company, shall be personally liable to the stockholders for any loss occasioned thereby. If a company is under liability for losses equal to its net assets, and the President or directors, knowing it, make or assent to further insurance, they shall be personally liable for any loss under such insurance. If the directors allow to be insured on a single risk a larger sum than the law permits, they shall be liable for any loss thereon above the amount they might lawfully insure.

SEC. 14. Whenever a Mutual Fire Insurance Company is not possessed of cash funds, above its re-insurance reserve, sufficient for the payment of incurred losses and expenses, it shall make an assessment for the amount needed to pay such losses and expenses upon its members liable to assessment therefor, in proportion to their several liabilities.

The company shall cause to be recorded, in a book to be kept for that purpose, the order for such assessment together



with a statement which shall set forth the condition of the company at the date of the order, the amount of its cash assets, and of its deposit notes or other contingent funds liable to the assessment, the amount the assessment calls for and the particular losses or other liabilities it is intended to provide for. Such records shall be made and signed by the directors, who vote for the order, before any part of the assessment is collected, and any person liable to the assessment may inspect and make a copy of the same.

SEC. 15. When the net assets of the company organized under this act, and having a guarantee capital, do not amount to more than seventy five per cent. of its original capital, it may make good its guarantee capital to the original amount by assessment of its stock. Shares on which such assessment is not paid within sixty days after demand shall be forfeitable, and may be cancelled by a vote of the Directors and new shares issued to such stockholders for the amount of his shares, less the deficiency found and declared, and new shares issued and sold at not less than par, for the benefit of the company, for the amount of such deficiency, which new shares shall be issued and sold at not less than par, and the money therefor paid into the treasury of the company before the company shall write any further policy of insurance.

SEC. 16. In all insurance against loss by fire the conditions of insurance shall be statfd in full, and neither the application of the insured nor the by-laws of the company shall be considered as a warranty or a part of the contract except so far as they are incorporated in full into the policy.

SEC. 17. Whereas, an emergency exists for the immediate taking effect of this act, therefore the same shall be in force from and after its passage.

Which report was concurred in.

Substitute Senate Bill No. 165 was again taken up.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Beck, Bethell, Boord, Ellison, Holler, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, McCord, McHugh, Mull, Newby, O'Brien, Parker, Phares, Rinear, Shiveley, Stuart, Sweeney, Wray, Total, 23.

Those voting in the negative were:

Senators Baker, Barnes, Bird, Boyd, Collett, Cranor, Crum-  
packer, Gifford, Gostlin, Haggard, Johnston, Leyden, Mc-  
Cutchan, McDonald, McKelvey, McLean, McManus, Manwar-  
ing, Schneck, Seller, Vail, Watson, White, Total, 23.

So the bill failed to pass for the want of a constitutional majority.

Unanimous consent was given the Committee on Fees and Salaries to make the following report:

Your Committee on Fees and Salaries, to which was referred Engrossed House Bill No. 639, begs leave to report the same back to the Senate with the recommendation that it be amended as follows:

Amend section 2 by making the salary of the Deputy Secretary of State \$1,600 instead of \$1,800.

Amend section 3 by adding thereto the following: *Provided*, That the fees provided for in this act shall be in addition to the fees provided for by an act entitled, "An act requiring the Secretary of State to charge and collect, for the benefit of the State, certain fees from associations and incorporations, desiring certain benefits under the laws of the State of Indiana, and requiring all associations and corporations desiring such benefits to pay such fees, and declaring an emergency," approved March 4, 1891, and printed at pages 84, 85 and 86 of the printed acts of 1891, and this act shall in nowise conflict with or in any manner operate to repeal said act, or any provision thereof.

Amend section 4 so as to make the salary of the Clerk of the Land Department of the Auditor of State \$1,600 instead of \$1,800; as provided for in the engrossed bill.

Amend section 5 so as to make the salary of the Treasurer of State \$5,000 instead of \$6,500 per year, as provided in the engrossed bill.

Amend section 8 so as to make the salary of the Clerk of the Supreme and Appellate Courts \$6,000 instead of \$5,000 per year, as provided by the engrossed bill; and the salary of the Chief Deputy of the Clerk of the Supreme Court \$1,600 per year instead of \$1,500.

Amend section 13 so as to make the salaries of the Judges of the Supreme Court \$5,000 per year instead of \$4,000, as provided in the engrossed bill.

Amend section 14 by adding thereto the following: The salary of the second assistant reporter of the Supreme Court shall be \$900 per year.

Amend section 16 by adding thereto the following: "Except as otherwise provided by law."

Amend section 15 so as to make the salary of the Judges of the Appellate Court \$4,000 instead of \$3,500.

Strike out section 20½.

Amend section 23 so as to make the salary of the Auditor of Allen County \$7,000 instead of \$6,500.

Amend section 25 so as to make the salary of the Clerk of Benton County \$1,600 instead of \$1,500; of the Auditor \$1,700 instead of \$1,600; of the Recorder \$1,200 instead of \$1,100; of the Treasurer \$1,400 instead of \$1,300; of the Sheriff \$1,600 instead of \$1,500.

Amend section 30 so as to make the salary of the Auditor of Cass County \$3,800 instead of \$3,600.

Amend section 38 so as to make the annual salary of the Auditor of DeKalb County \$2,800 instead of \$2,500; of the Clerk \$2,600 instead of \$2,400.

Amend section 44 by making the salary of the Auditor of Fountain County \$2,600 instead of \$2,400, and of the Treasurer \$2,000 instead of \$1,900.

Amend section 45 so as to make the salary of the Auditor of Franklin County \$2,400 instead of \$2,100.

Amend section 46 so as to make the salary of the Clerk of Fulton County \$2,400 instead of \$1,900; of the Auditor \$2,400 instead of \$2,000.

Amend section 48 so as to make the salary of the Treasurer of Grant County \$3,000 instead of \$2,800.

Amend section 52 so as to make the salary of the Auditor of Harrison County \$2,700 instead of \$2,300.

Amend section 53 so as to make the salary of the Recorder of Hendricks County \$1,500 instead of \$1,400.

Amend section 58 so as to make the salary of the Auditor of Jasper County \$1,800 instead of \$1,700; of the Treasurer \$1,300 instead of \$1,200.

Amend section 63 so as to make the salary of the Clerk of Knox County \$3,000 instead of \$2,700; of the Auditor \$3,000 instead of \$2,900; of the Treasurer \$2,500 instead of \$2,200; of the Sheriff \$3,000 instead of \$2,500.

Amend section 70 so as to make the salary of the Clerk of Marion County \$21,500 instead of \$19,500.

Amend section 73 so as to make the salary of the Recorder of Miami County \$1,700 instead of \$1,400.

Amend section 75 so as to make the salary of the Clerk of Montgomery County \$3,000 instead of \$2,800; of the Auditor, \$2,800 instead of \$2,900; of the Recorder, \$1,700 instead of \$1,600.

Amend section 77 so as to make the salary of the Auditor of Newton County \$1,500 instead of \$1,400.

Amend section 78 so as to make the salary of the Clerk of Noble County \$2,500 instead of \$2,400; of the Auditor, \$2,600 instead of \$2,500; of the Recorder, \$1,500 instead of \$1,400.

Amend section 81 so as to make the salary of the Auditor of Owen County \$2,200 instead of \$1,900.

Amend section 87 so as to make the salary of the Auditor of Pulaski County \$1,800 instead of \$1,600; and the salary of the Sheriff, \$1,600 instead of \$1,400.

Amend section 93 so as to make the salary of the Clerk of Shelby County \$2,600 instead of \$2,400; of the Auditor, \$2,700 instead of \$2,500; of the Recorder, \$1,500 instead of \$1,400.

Amend section 94 so as to make the salary of the Clerk of Spencer County \$2,400 instead of \$2,200; of the Auditor, \$2,600 instead of \$2,400.

Amend section 95 so as to make the salary of the Clerk of Starke County \$1,100 instead of \$1,000; of the Auditor, \$1,250 instead of \$1,100; of the Treasurer, \$900 instead of \$800; of the Sheriff, \$1,200 instead of \$1,100; of the Recorder, \$800 instead of \$700.

Amend section 97 so as to make the salary of the Clerk of St. Joseph County \$4,800 instead of \$4,400; of the Auditor, \$4,800 instead of \$4,600; of the Treasurer, \$3,600 instead of \$3,300; of the Recorder, \$2,900 instead of \$2,700; of the Sheriff, \$4,100 instead of \$3,900.

Amend section 100 so as to make the salary of the Recorder of Tippecanoe County \$2,200 per year instead of \$2,000.

Amend section 112 so as to make the salary of the Auditor of White County \$2,500 instead of \$2,100; and of the Recorder, \$1,800 instead of \$1,300.

And that when said bill is so amended that it do pass.

O. N. CRANOR,  
Chairman of Committee on Fees and Salaries.

Which report was concurred in.

Senator Cranor moved that the constitutional rule be suspended, that the bill be read the second time by title, read the third time by sections and placed upon its passage.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Rozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Watson, White, Wray. Total, 47.

Senator Johnston voting in the negative.

So the constitutional rule was suspended, and the bill was read the second time by title.

Senator Houghton offered Amendment No. 1, as follows :

MR. PRESIDENT :

I move to amend House Bill No. 689 so as to make the salary of the Auditor of Martin County \$1,800 instead of \$1,750, as fixed by the bill.

HOUGHTON.

Which amendment was adopted.

Senator O'Brien offered Amendment No. 2, as follows :

MR. PRESIDENT :

I move to amend section 10 of Engrossed House Bill No. 689, which section commences on page seven of said bill and ends on page eight, by adding to said section the following words : "The salary of the Natural Gas Supervisor shall be twelve hundred dollars per year, and he shall receive the sum of six hundred dollars for traveling and other expenses."

J. O'BRIEN.

Which amendment was adopted.

Senator Parker offered Amendment No. 3, as follows :

MR. PRESIDENT :

I move to amend section 71 of House Bill No. 689, by striking out the words "twenty-five hundred dollars," as applied to the County Auditor, and inserting in lieu thereof "twenty-six hundred dollars," and by adding the word "fifty" to the words "fourteen hundred," and by adding the word "fifty" to the words "twenty-one hundred dollars."

PARKER.

Which amendment was adopted.

Senator Watson offered Amendment No. 4, as follows :

MR. PRESIDENT :

I move to amend House Bill No. 689 by making the salary of the Auditor of Jefferson County \$2,800 and the Treasurer of said county \$2,800.

WATSON.

Which amendment was adopted.

Senator Boyd offered Amendment No. 5, as follows :

MR. PRESIDENT :

I move to amend House Bill No. 639 so as to give the Clerk of Hamilton County \$3,000 instead of \$2,700.

THOS. E. BOYD.

Which amendment was adopted.

Senator Duncan offered Amendment No. 6, as follows :

MR. PRESIDENT :

I move to amend House Bill No. 639 by amending the same so as to make the salary of the Auditor of Monroe County \$3,000.

DUNCAN.

Which amendment was adopted.

Senator McManus offered Amendment No. 7, as follows:

MR. PRESIDENT :

I move to amend section 65 of House Bill No. 639 so that the Clerk of Lagrange County shall receive \$2,200 instead of \$1,900, that the Auditor of said county shall receive \$2,200 instead of \$1,900, the Recorder of said county shall receive \$1,800 instead of \$1,100, the Treasurer of said county shall receive \$1,800 instead of \$1,500, the Sheriff of said county shall receive \$2,000 instead of \$1,700.

McMANUS.

Which amendment was adopted.

Senator Seller offered Amendment No. 8, as follows :

MR. PRESIDENT :

I move to amend section 13 of House Bill No. 639 by adding thereto the following :

The salary of the Sheriff of the Supreme and Appellate Courts shall be seven hundred and fifty dollars per year, and in addition the fees allowed by law.

SELLER.

Which amendment was adopted.

Senator Crumpacker offered Amendment No. 9, as follows:

MR. PRESIDENT:

I move to amend section 67 of House Bill No. 639, which applies to Laporte County, so as to give the Auditor of said county \$3,900 instead of \$3,700 as fixed by the bill.

CRUMPACKER.

Which amendment was adopted.

Senator McLean offered Amendment No. 10, as follows:

MR. PRESIDENT:

I move to amend the bill by fixing the salary of the Clerk of Vigo County at \$5,800 instead of \$5,600 as fixed by the bill.

MCLEAN.

Which amendment was adopted.

Senator Phares offered Amendment No. 11, as follows:

MR. PRESIDENT:

I move to amend House Bill No. 639 so as to give the Treasurer of Newton County \$1,200 instead of \$1,000.

PHARES.

Which amendment was adopted.

Senator Kerns offered Amendment No. 12, as follows:

MR. PRESIDENT:

I move to amend section 82 so as to give the Auditor of Parke County \$2,500 instead of \$2,300.

KERNS.

The amendment was adopted.

Senator Rinear offered Amendment No. 13, as follows:

MR. PRESIDENT:

I move to amend House Bill No. 639 by changing the words "twenty-two hundred," after the words "Clerk of Circuit Court," to "twenty five hundred," and the words "twenty-four hundred," after the word "Auditor," to "twenty-seven hundred" in section 111 of said bill.

RINEAR.

Which amendment was adopted.



Senator Gifford offered Amendment No. 14, as follows :

**MR. PRESIDENT :**

I move to amend section 101 of House Bill No. 639, it being the section relating to Tipton County, so as to give the Auditor of said county the sum of \$2,600 instead of \$2,800.

GIFFORD.

Which amendment was adopted.

Senator McKelvey offered Amendment No. 15, as follows :

**MR. PRESIDENT :**

I move to amend House Bill No. 639, so as to give the Clerk of Owen County \$1,950 instead of \$1,800, and the Treasurer \$1,700 instead of \$1,500 as fixed by the bill.

McKELVEY.

Which amendment was adopted.

Senator Bethell offered Amendment No. 16, as follows :

**MR. PRESIDENT :**

I move to amend by inserting after section — the following :

“Where any State officer, other than the Judges of the courts, has been elected before the passage of this act, such officer shall not be subject to the provisions of this act during the time he holds such term of office and performs the duties thereof, and he shall receive the compensations now prescribed by law the same as if this act had not passed.”

Which amendment was lost.

Senator Alexander offered Amendment No. 17, as follows :

**MR. PRESIDENT :**

I move to amend House Bill No. 639 by amending the section relating to Union County by giving the Auditor of Union County \$1,400.

ALEXANDER.

Which amendment was adopted.

Senator Schneck offered Amendment No. 18, as follows :

**MR. PRESIDENT :**

I move to amend House Bill No. 639 so as to make the salary of the Auditor of Lawrence County twenty four hundred dollars, and of the Treasurer of said county two thousand dollars.

SCHNECK.

Which amendment was adopted.

Senator Manwaring offered Amendment No. 19, as follows :

MR. PRESIDENT:

I move to amend by making the salary of the Sheriff of Kosciusko County \$2,700, and the office of Clerk of the Court \$2,900.

MANWARING.

Which amendment was adopted.

Senator Gostlin offered Amendment No. 20, as follows :

MR. PRESIDENT:

I move to amend House Bill No. 639 as follows: That the Auditor of Lake County receive \$3,500 instead of \$3,000; that the Clerk receive \$3,500 instead of \$3,000; that the Treasurer receive \$3,000 instead of \$2,700, and that the Recorder receive \$2,700 instead of \$2,400.

GOSTLIN.

Which amendment was adopted.

Senator Bethell offered Amendment No. 21, as follows :

MR. PRESIDENT:

I move to amend section 84 of House Bill No. 639 by making the Auditor fees in Pike County twenty-four hundred dollars.

BETHELL.

Which amendment was adopted.

Senator McCutchan offered Amendment No. 22, as follows :

MR. PRESIDENT:

I move to amend House Bill No. 639 as follows, to wit: Section 113 to read: Clerk \$7,000 instead of \$6,300; Sheriff \$6,500 instead of \$6,000; Treasurer \$5,300 instead of \$4,800; Recorder \$3,800 instead of \$3,400; Auditor \$7,000 instead of \$6,500.

MCCUTCHAN.

Which amendment was adopted.

Senator Newby offered Amendment No. 23, as follows :

MR. PRESIDENT:

I move that the bill be so amended as to fix the salary of the Treasurer of Henry County at \$100,000.

NEWBY.

Which amendment was lost.

The bill was read the third time.

The question being, Shall the bill pass.

Those voting in the affirmative were :

Senators Alexander, Barnes, Beck, Bethell, Bird, Boord, Boyd, Collett, Cranor, Crumpaeker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCutchan, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Seller, Shiveley, Stuart, Sweeney, Watson, Wray. Total, 41.

Those voting in the negative were :

Senators Newby, Self, White, Total, 3.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bills 424, 243, 387, 311, 632, Senate Bills 49 and 124 and 392 and 262, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 424, entitled :

A bill for an act to amend section 17 of an act entitled, "An act concerning public offenses and their punishment, approved April 14, 1881," the same being section 1918 of the Revised Statutes of 1881.

Read the first time and referred to the Committee on Judiciary.

**Engrossed House Bill No. 243, entitled :**

A bill for an act to amend section 255 of an act entitled an act concerning proceedings in civil cases, approved April 7, 1881, and being section 412 of the Statutes of 1881, State of Indiana, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

**Engrossed House Bill No. 337, entitled :**

An act to regulate the canning of fruits, vegetables, meats, fish and all fruit products, to provide penalties for its violation and to repeal all laws in conflict therewith.

Read the first time and referred to the Committee on Agriculture.

**Engrossed House Bill No. 311, entitled :**

A bill for an act to amend sections four (4), five (5), six (6), seven (7), eight (8), nine (9), ten (10) and eleven (11) of an act of the General Assembly of the State of Indiana entitled "An act to amend sections four (4), twelve (12), twenty-nine (29), fifty five (55), fifty eight (58), seventy-four (74), seventy-five (75), eighty one (81), eighty-five (85), eighty-six (86), eighty-seven (87) and eighty-eight (88) of an act of the General Assembly of the State of Indiana entitled an act concerning the incorporation and government of cities having more than one hundred thousand population, according to the last preceding United States census, and matters connected therewith, and declaring an emergency, approved March 6, 1891, and declaring an emergency," (which act became a law by lapse of time without the Governor's signature, February 22, 1893, and is published in the acts of the General Assembly of 1893, page 56), and declaring an emergency.

Read the first time and referred to the Committee on Affairs of the City of Indianapolis.

**Engrossed House Bill No. 682, entitled :**

An act to amend sections 3, 5, 9, 11 and 13 of an act entitled "An act to amend sections 2, 15, 19, 23, 26, 29, 34, 44, 45, 46, 47, 49, 52 and 65 of an act entitled an act concerning elections, providing penalties for the violation of the same, and repealing all laws in conflict therewith, approved March 6, 1889, approved March 6, 1891."

Read the first time and referred to the Committee on Education.

**Engrossed House Amendment to Senate Bill No. 49 :**

20. To organize companies for the purpose of buying and selling State, county, municipal and all other bonds, of borrowing and loaning money, of buying and selling promissory notes, bills of exchange, accounts, choses in action, fees and all other evidence of indebtedness, and of buying and selling real estate and personal property in connection therewith.

21. To organize and maintain companies or associations for the purpose of aiding, indemnifying and protecting the medical profession in scientific researches and in the practice of medicine and surgery.

Senator LaFollette moved that the House amendments to Senate Bill No. 49 be concurred in.

Those voting in the affirmative were :

Senators Alexander, Barnes, Beck, Bethell, Bird, Crumacker, Ellison, Gifford, Gostlin, Haggard, Holler, Johnston, Kerns of Vermillion, LaFollette, McDonald, McHugh, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneek, Sweeney, White, Wray. Total, 28.

Those voting in the negative were :

Senators Boord, Boyd, Collett, Houghton, Humphreys, Kern of Marion, McCutchan, McManus, Manwaring, Self, Seller, Shiveley, Stuart, Watson. Total, 14.

So the amendments were concurred in.

Engrossed House Bill No. 384 was read the third time :

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Boord, Boyd, Collett, Crumpacker, Duncan, Ellison, Gostlin, Haggard, Holler, Houghton, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McKelvey, McLean, McManus, Mull, Newby, Parker, Phares, Rinear, Schneck, Self, Shiveley, Vail, Watson, White. Total, 37.

Those voting in the negative were :

Senators Bird, Cranor, Humphreys, McHugh, Manwaring, O'Brien, Seller, Stuart, Sweeney, Wray. Total, 10.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 527, 536, 532 and 624, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 527, entitled :

A bill for an act to encourage the breeding and improvement of trotting and pacing horses; to more effectually prevent fraudulent entries and practices in contests of speed; and prescribing penalties for the violation thereof, and repealing all laws and parts of laws in conflict therewith.

Read the first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 536, entitled :

A bill for an act concerning statistics, providing for the performance of certain duties by the Chief of the Bureau of Statistics, County Auditors, Township Assessors, and all other persons authorized by the Chief of the Bureau of Statistics, to collect statistics, providing for the enforcement of such duties, and declaring an emergency.

Read the first time and referred to the Committee on Agriculture.

Engrossed House Bill No. 532, entitled :

A bill for an act requiring the cutting of weeds and shrubbery along the right of way of all public highways in the State of Indiana, by farmers, trustees, and supervisors, providing penalties for violations thereof, repealing all laws in conflict, and declaring an emergency.

Read the first time and referred to the Committee on Agriculture.

Engrossed House Bill No. 624, entitled :

A bill for an act defining the Second and Third Judicial Circuits of the State of Indiana, and fixing the length of the terms, and the times of holding the terms of court in each of said circuits, and providing that the Prosecuting Attorney of the Second Circuit shall continue as the Prosecuting Attorney of the three counties now composing such circuit, until the next general election, and repealing all laws in conflict, and declaring a emergency.

Read the first time and referred to the Committee on Organization of Courts.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Enrolled Act No. 587 notwithstanding the Governor's veto, which enrolled act, together with the veto message, are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

The following is the message from the Governor :

EXECUTIVE DEPARTMENT, }  
INDIANAPOLIS, IND. }

*To the House of Representatives of the State of Indiana; Hon.  
Justus C. Adams, Speaker :*

House Bill No. 587, herewith returned, proposes to abolish the Board of Monument Commissioners and substitute a Board of Regents.

There are many reasons, in my opinion, why the proposed change is uncalled for and not in the interest of the State.

*First.* It increases expenses by creating a long-tenure office, not needed, at an annual salary of fifteen hundred dollars to a President and Superintendent, with power to draw an indefinite amount out of the treasury for salaries of others who may be by him placed in subordinate positions, and this without any specific appropriation therefor. By a decision of the Supreme Court the salaries and pay of officers and employes of the Monument are payable out of the general fund in the treasury, and not out of the fund appropriated for the construction of the Monument.

Because of this decision of the Supreme Court, there should be legislation limiting the amount that may be drawn from the treasury for pay and salaries of officers and employes of the Monument, but no such provision is contained in the bill.

*Second.* The bill provides for appointing a Board of Regents, but does not fix any time within which such Board shall be appointed. Such Board can not be in existence at the time of taking effect of this bill should it become a law, and there are various causes which may, and probably will, delay the creation of such Board. Under these circumstances the bill should at least provide that the present Board of Commissioners continue in office until the Board of Regents has been chosen and organized, but it does not contain this provision. On the contrary, it abolishes the Board of Commissioners at once, and requires that "said Commissioners now in office, immediately upon the passage of this act, shall turn over to the Board of Regents of said Monument, whose appointment is hereinafter provided for, said Monument and all



books, papers, contracts, designs, correspondence, and all other things whatsoever pertaining or relating in any way to said Monument in possession or control of said Commissioners." This requirement is glaringly inconsistent, as the present Board can not turn over the things enumerated to the new Board before that Board is in existence.

*Third.* There is no pretext that the Board of Monument Commissioners has not performed its duty faithfully. Indeed, it is of general admission that the Board of Commissioners has well discharged these duties, and that its work has fully met the expectations of the public. If there was a need of such Commission at any time, that need is even greater now than before, because all contracts for the completion of the Monument have already been made with the Board, and it should be allowed to superintend the fulfillment of contracts which are not yet fully executed.

*Fourth.* Some of the unexecuted contracts were made, not in the name of the State, but with "the Board of Commissioners of the State Soldiers' and Sailors' Monument of Indiana," and the abolishment of that Board might lead to legal complications and other inconveniences not to the interest of the State.

*Fifth.* The mode provided by the bill for selecting the Board of Regents is in conflict with the constitutional rights of the Governor in relation to appointments.

*Sixth.* The present Board of Monument Commissioners has not only discharged its duties in a satisfactory manner in the proper construction of the Monument, but the work is nearly completed, and there is strong reason to believe the Monument will be more speedily completed by the old Board than by a newly constituted Board of Regents. Besides, the expenses of the Board of Commissioners have been brought down to a sum much below what the expenses would be under the Board of Regents, as proposed by the bill. While the people of Indiana will expect and require that this Monument when complete shall be a work of art, creditable to the State and worthy the valor of the men whose deeds it will commemorate, yet will they also demand a due regard for economical expenditure of public funds, and as speedy completion as may be consistent with the perfection of the work.

I do not think public opinion demands the proposed change; on the contrary, it seems quite apparent that the soldiers of the State in whose honor mainly the Monument is being constructed, with singular unanimity disapprove of it. In my opinion the public interests would not be subserved by this bill becoming a law. In matters of this kind public, not private interests, should alone be considered.

I respectfully return this bill to the House, where it originated, with these objections, and without my approval.

CLAUDE MATTHEWS,  
Governor.

Senator Newby made the following motion :

MR. PRESIDENT :

I move that the message of the Governor vetoing House Bill No. 587 be received and his objections to said bill be entered at large upon the Journal of the Senate, and that the Senate do now proceed to the consideration of said House Bill No. 587, and that the said bill do pass notwithstanding the objections of the Governor, and upon which motion I demand the previous question.

NEWBY.

The Senate seconded the demand for the previous question.

The question being, Shall the main question be now put?

Those voting in the affirmative were :

Senators Baker, Bethell, Boord, Boyd, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White. Total, 28.

Those voting in the negative were :

Senators Alexander, Barnes, Beck, Bird, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Sweeney, Wray. Total, 20.

So the main question was ordered.

The question being, Shall the bill pass, notwithstanding the Governor's objections to the contrary?

Those voting in the affirmative were :

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White. Total, 29.

Those voting in the negative were :

Senators Alexander, Barnes, Beck, Bird, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Sweeney, Wray. Total, 20.

So the bill passed notwithstanding the Governor's objections.

Senator Newby moved to reconsider the vote by which House Bill No. 587 was passed over the Governor's veto.

Senator Duncan moved to lay the motion on the table.

Which motion prevailed.

The Committee on Fees and Salaries made the following report :

MR. PRESIDENT :

Your Committee on Fees and Salaries, to which was referred House Bill No. 628, introduced by Mr. Davis, would report that they have had the same under consideration and would recommend that the same be substituted for Senate Bill No. 471, and when so substituted the same do pass.

O. N. CRANOR,  
Chairman.

Which report was concurred in.

The Committee on Enrolled Bills made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills, to which was referred Senate Enrolled Bill No. 26, introduced by Senator Shiveley, begs leave to report that they have compared the enrolled bill with the bill as passed by the Senate, and find the same to be correct.

VAIL,  
Chairman.

The President of the Senate announced that he had signed Enrolled Senate Act No. 26 and Enrolled House Act No. 128.

The Committee on Judiciary made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred House Bill No. 680, introduced by Mr. Loring, begs leave to report the same back to the Senate, with the recommendation that the same do pass after having been amended as follows : By striking out the words " one-half " and inserting in lieu thereof the words " one-fourth " in section one.

L. P. NEWBY,  
CHAS. E. SHIVELEY,  
O. N. CRANOR,  
L. W. VAIL,  
JOHN W. KERN,  
J. J. M. LAFOLLETTE.

Which report was concurred in.

The Committee on Roads made the following report :

MR. PRESIDENT :

Your Committee on Roads, to which was referred House Bill No. 385, introduced by Mr. Remy, begs leave to report the same back to the Senate with the recommendation that the same do pass.

W. F. KERNS,  
Chairman.

Which report was concurred in.

Senator Shiveley offered Senate Concurrent Resolution No. 21, as follows :

WHEREAS, The fourth day of July in the year nineteen hundred will be the one hundredth anniversary of the establishment of the government of the Territory of Indiana, and

WHEREAS, It is deemed fitting that such anniversary should be adequately celebrated by a State Exposition, which would exhibit the century of development in Indiana as a territory and State, therefore be it

*Resolved by the Senate of Indiana of the General Assembly, the House of Representatives concurring, That within ninety days from the adjournment of this session of the General Assembly the Governor shall appoint a commission of thirty members, two from each congressional district and four from the State at large, which shall, after full investigation and consideration, report to the next session of the General Assembly its recommendation for the proper realization of this project, and that said commission shall serve without pay.*

SHIVELEY.

Senator Crumpacker moved that the resolution be referred to the Committee on Rights and Privileges.

Which motion prevailed.

Engrossed House Bill No. 68, which was made a special order for this hour, was now taken up.

The bill was read the second time.

Senator Collett moved to recommit to the Committee on Judiciary.

Senator Seller moved to amend by referring the bill to the Committee on Finance.

Senators Wray and McDonald demanded the ayes and noes.

Those voting in the affirmative were:

Senators Collett, Ellison, Gostlin, Haggard, Holler, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McHugh, McLean, Manwaring, O'Brien, Phares, Schneek, Seller, Shiveley, Vail. Total, 18

Those voting in the negative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boyd, Bozeman, Cranor, Crumpacker, Duncan, Gifford, Houghton, Humphreys, Johnston, McCord, McCutchan, McDonald, McKelvey, McManus, Mull, Newby, Parker, Rinear, Self, Stuart, Sweeney, Watson, White, Wray. Total, 29.

So the motion was lost.

The bill was referred to the Committee on Judiciary.

Engrossed House Bill No. 165, which had been made a special order for this hour, was now taken up.

The Committee on Temperance made the following report:

MR. PRESIDENT:

Your Committee on Temperance, to which was referred Engrossed House Bill No. 165, reports the following:

We recommend that section 2 of said bill be amended by striking out the word "wholly," also "and a part," in line 8; also that there be added to said section the following words:

*"And, provided further, That if such applicant for license desires to carry on any other or different business he shall state the same in his application for license, and the same may be granted or refused by the Board of Commissioners hearing such application, and such permission shall be stated in the license if granted."*

Also that section 3 be amended by adding after the word "himself" in line 19 the words "and family."

Also that section 4 of said bill be amended by striking out the words "the first" in line 37, and insert in lieu thereof the words "the second"; and by striking out the words "Justice of Police" in lines 41 and 42, and inserting between the words "Superior" and "Criminal" in line 41 the word "or," and by striking out the word "shall" in line 44 and insert the word "may"; and by adding after the close of said section the words "and upon the third conviction, or plea of guilty entered, the court rendering judgment thereon shall annul and set aside such license and all privileges and rights under the same."

Also, that section eight be amended by adding thereto the words, "*Provided, That in case of the insanity or death of the person holding a license under the provisions of the law now in force, before the expiration of the year for which the same was granted, the county or city treasurer shall, on the order of the Board of Commissioners of the county or the council of such city, refund to the guardian of such insane person, the heirs, executors or administrators of said decedent or insane*

person, the proportionate part of the license fees for the unexpired part of said year, which such treasurer has received for such license."

Also, that section nine of said bill be stricken out.

And said bill as amended do pass.

WATSON,  
Chairman.

Senator Shiveley made the following motion :

MR. PRESIDENT :

I move that the report of the committee be received, and the bill, together with the report of the committee be printed and laid upon the desks of the Senators to morrow morning, and that the bill be made a special order immediately upon the convening of the Senate to-morrow morning.

SHIVELEY.

Which motion prevailed.

The Committee on Enrolled Bills made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills, to which was referred Senate Enrolled Bills Nos. 13 and 205, begs leave to report that they have compared the enrolled bills with the bills as passed by the Senate and find the same to be correct.

VAIL,  
Chairman.

The President of the Senate announced that he had signed Enrolled Senate Acts Nos. 205 and 18.

Senate Bill No. 421, which was made a special order for this hour, was now taken up.

Senator Kern moved that the constitutional rule requiring bills to be read on three several days be suspended, read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Vail, Watson, White, Wray. Total, 45.

Senator LaFollette voting in the negative.

So the constitutional rule was suspended, the bill was read the second time by title, considered engrossed, read the third time by sections and put upon its passage now.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bird, Boord, Boyd, Bozeman, Collett, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Houghton, Humphreys, Johnston, Kern, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Self, Seller, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 41.

Those voting in the negative were :

Senators Holler, Kerns, LaFollette, Manwaring, Schneck, Shiveley. Total, 6.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill Nos. 369, 394, 515 and Senate Bill No. 136 and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.



Engrossed House Bill No. 396, entitled :

A bill for an act to amend section three (3) of an act entitled an act concerning proceedings in civil cases, approved April 7, 1881, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 394, entitled :

A bill for an act to amend an act to amend section 114 of an act entitled, "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties and matters properly connected therewith, and prescribing the fees for certain officers therein named, and the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865, and declaring an emergency, approved March 3, 1893.

Read the first time and referred to the Committee on Education.

Engrossed House Bill No. 515, entitled :

A bill for an act to amend section one (1) of an act entitled, "An act to amend section one (1) of an act approved February 26, 1891, entitled an act to amend section six (6) and section seven (7) of an act entitled an act prohibiting the obstruction of ditches or drains, providing a method of keeping them in repair and providing a penalty for violation thereof, approved February 28, 1889, and declaring an emergency, approved March 3, 1893, and declaring an emergency.

Read the first time and referred to the Committee on Swamp Lands and Drains.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has non-concurred in the Senate amendments to House Bill No. 689, and the same with amendments is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bills Nos. 153 and 311, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

The following are the House amendments to Senate Bill No. 311:

MR. SPEAKER:

I move that all after the enacting clause of Senate Bill No. 311 be stricken out and that the bill be amended as follows:

"That in the common schools of this State, and in all institutions of this State, supported in whole or in part by money provided by the State, in which the education of youth is conducted, it shall be the duty of all officers in control thereof, from and after the expiration of any State contract, to cause and require instruction to be given to the pupils as students thereof concerning the effects of narcotics and stimulants, including alcoholic drinks, upon the human system.

SEC. 2. That the State Board of School Book Commissioners, for the purpose of making a selection or procuring the compilation for use in the common schools of the State of Indiana of a series of text-books, as such Board is or may be constituted by laws, shall cause and require that any text book treating upon the subject of physiology or hygiene which hereafter shall be adopted for use in such common schools, or which, being already so in use, hereafter shall be revised for such further use shall include special reference to and instruction upon the effect of narcotics and stimulants, including alcoholic drinks, upon the human system. And it is hereby made the duty of said Board of School Book Commissioners to cause to be supplied, in the manner now provided by laws, the necessary text-books or revision for the introduction of such instruction in said common schools from and after the expiration of the present State contracts, or any renewal of or charge of the

same: *Provided*, That any book so used for all intermediate and primary pupils shall give at least one-fifth of the entire space to the consideration of the nature and effects of alcoholic drink and narcotics, and the book used in the higher grades shall contain at least twenty pages of matter relating to this subject; but when the subject is named wholly, or in part, in a chapter at the end of the book, such book shall not be considered as meeting the requirements of the law.

SEC. 3. And on and after the first day of June, 1896, no County Superintendent of this State shall license any applicant as a teacher in the common schools of this State unless such applicant, in addition to the qualifications required by law, shall also be found, upon examination by the County Superintendent, to possess sufficient knowledge to teach in such schools the effect upon the human system of narcotics and stimulants, including alcoholic drinks.

SEC. 4. And if it shall be reported to the State Superintendent of Public Instruction that any school is not complying with the provisions of this act, he shall investigate the same, and if he finds that such report is true, it shall be his duty to notify the Auditor of State of the same, and the district in which such school is located shall forfeit its share of the school fund until this act is complied with. And the Auditor of State is hereby authorized to withhold said school fund until the terms of this act are complied with."

And that as thus amended the bill do pass.

I move the following amendment to the title of Senate Bill No. 311:

A bill for an act requiring certain specific instructions to be given in the public schools, namely, the effects of narcotics and stimulants and the use of alcoholic drinks upon the human system, and prescribing the duties of certain officers and teachers in relation thereto, and fixing penalties therein named.

The Committee on Enrolled Bills made the following reports:

MR. PRESIDENT:

Your Committee on Enrolled Bills, to which was referred Enrolled Senate Bills Nos. 392 and 262, begs leave to report that they have compared the enrolled bills with the bills as passed by the Senate and find the same to be correct.

VAIL,  
Chairman.

The President of the Senate announced that he had signed Senate Enrolled Acts Nos. 392 and 262.

Senator Haggard moved that the Senate do now go into the Committee of the Whole Senate, with Senator Parker in the chair, for the consideration of Engrossed House Bill No. 588.

Which motion prevailed.

At 6 o'clock the committee rose and reported progress.

The Committee on Enrolled Bills made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills, to which was referred Senate Enrolled Bills Nos. 124, 136 and 153, begs leave to report that they have compared the enrolled bills with the bills as passed by the Senate, and find the same to be correct.

VAIL,  
Chairman.

The President of the Senate announced that he had signed Enrolled Senate Acts Nos. 124, 136 and 153.

Senator Newby moved that when the Senate adjourns that it adjourn to meet at 8 o'clock this evening.

Senator Leyden moved to amend that when the Senate adjourns it adjourn to meet at 9 o'clock to-morrow morning.

Which motion was lost.

The original motion as made by Senator Newby prevailed.

On motion of Senator Newby, the Senate adjourned.

## WEDNESDAY EVENING.

MARCH 6, 1895.

The Senate reconvened at 8 o'clock P. M., with Lieutenant-Governor Nye in the chair.

Engrossed House Bill No. 628 was read a second time and was ordered to the third reading.

Senate Bill No. 420 was read the second time and ordered engrossed.

Engrossed House Bill No. 65 was read the third time:

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 44.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 442 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Bethell, Bird, Boord, Boyd, Bozeman, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McKelvey, McLean, McManus, Mull, O'Brien, Parker, Rinear, Schneck, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 40.

Those voting in the negative were:

Senators Holler and Self. Total, 2.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Concurrent Resolution No. 5, amended Senate Bill No. 195, and Senate Bills Nos. 466 and 438 and House Bills Nos. 76, 282, 431, 615, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

A certified copy of House Joint Resolution No. 5, which was received from the House February 19, accompanied the report.

Engrossed House Amendment to Engrossed Senate Bill No. 195, as follows:

MR. SPEAKER:

I move to amend the title of Senate Bill No. 195 by adding to the title after the word "Indiana," line ten, the words "and declaring an emergency."

MOORE.

Which was concurred in.

Engrossed House Bill No. 76, entitled:

A bill for an act to prohibit the manufacture, sale and use of cigarettes in the State of Indiana, prescribing the penalties therefore, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 232, entitled :

A bill for an act concerning ditch and mortgage liens in proceedings to establish ditches or drains and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 431, entitled :

A bill for an act entitled an act to prevent the sale of impure miners' oil, preventing the use of the same, fixing a penalty for the violation thereof and declaring an emergency.

Read the first time and referred to the Committee on Labor.

Engrossed House Bill No. 615, entitled :

A bill for an act to amend sections one (1) and (2) of an act to provide for the taxation of Building and Loan Associations, approved March 7, 1887, and declaring an emergency.

Read the first time and referred to the Committee on Corporations.

Special Order Engrossed House Bill No. 46 was read the second time.

Senator O'Brien moved that the constitutional rule requiring bills to be read on three several days be suspended, the bill be read the third time by sections and put upon its passage.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were :

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gostlin, Haggard, Holler, Houghton, Kerns, LaFollette, McCord, McCutchan, McDonald, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Phares, Rinear, Schneck, Self, Seller, Shiveley, Vail, Watson, White. Total, 34.

Those voting in the negative were :

Senators Alexander, Bird, Humphreys, Johnston, Kern, McHugh, Stuart, Sweeney, Wray. Total, 9.

So the constitutional rule was suspended.

The bill was considered engrossed, read the third time by sections and put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Bethell, Boord, Boyd, Collett, Cranor, Crum-  
packer, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns of  
Vermillion, LaFollette, McCord, McCutchan, McManus, Mull,  
Newby, O'Brien, Phares, Rinear, Schneck, Self, Shiveley, Vail,  
Watson, White. Total, 28.

Those voting in the negative were:

Senators Alexander, Bird, Humphreys, Johnston, Kern of  
Marion, McDonald, McHugh, McKelvey, McLean, Parker,  
Seller, Stuart, Sweeney, Wray. Total, 14.

So the bill passed.

The title of the bill was ordered to stand as the title to the  
act.

Senator Kern rose to question of personal privilege in refer-  
ence to Senator Wishard, and asked that House Bills Nos. 265,  
266, 311 and 313 be made a special order for to-morrow at 3  
o'clock P. M.

Which request was granted.

On motion of Senator Watson Engrossed House Bill No. 591  
was made a special order for 3:30 P. M. to-morrow.

On motion of Senator Seller Engrossed House Bills Nos. 583  
and 219 were made a special order for 8:30 P. M. to-morrow.



Special order Substitute Senate Bill No. 393 was now taken up.

Senator McLean made the following motion :

MR. PRESIDENT :

I move to amend Substitute Senate Bill No. 393 by substituting the following in lieu thereof :

WM. E. McLEAN.

An act to authorize railway companies to supply electricity for light, heat and power, and to acquire, own and hold such rights, privileges, easements, franchises and property as may be necessary for such purposes, and declaring an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That any street railway company whose lines of street railway are or may hereafter be operated in whole, or in part, by electrical power, may, with the consent of all stockholders of such company, for the purpose of supplying electricity and steam for light, heat and power, in the town or city and its vicinity, in which such street railway is operated, purchase or otherwise acquire, and hold and use the plant and other property real and personal, rights, contracts, privileges, easements and franchises of any incorporated company which, or person or persons who, may be engaged in supplying electricity or steam for light, heat or power in such city or town or its vicinity with like consent of all the stockholders of such latter company, or of such person or persons.

SEC. 2. Any street railway company engaged in the business of supplying electricity or steam for light, heat and power shall have the same right to sell, convey, mortgage, or otherwise dispose of or encumber its property and franchises acquired and used for the purposes of said business, either separately or in connection with its street railway property and franchises, as it possesses with reference to such street railway property and franchises.

SEC. 3. There being an emergency for the immediate taking effect of this act, the same shall be in force from and after its passage.

Which motion prevailed.

Senator Houghton moved that the constitutional rule requiring bills to be read on three several days be suspended, the bill be read the second time by title, considered engrossed and read the third time by sections now, and put upon its passage.

The question being upon the suspension of the constitutional rule.

Those voting in the affirmative were:

Senators Baker, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray, Total, 48.

None voting in the negative.

So the constitutional rule was suspended, the bill was read the second time by title, considered engrossed and read the third time by sections and placed upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Duncan, Gifford, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 40.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senator Holler, Chairman of the Committee on Agriculture, made the following report :

MR. PRESIDENT :

Your Committee on Agriculture, to which was referred House Bill No. 536, introduced by Representative Hamrick, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

C. HOLLER,  
Chairman.

The report was concurred in.

Senator Vail gave notice that he would to-morrow move a reconsideration of the vote by which House Bill No. 46 was passed.

The Committee on World's Fair made the following report :

MR. PRESIDENT :

Your Committee on World's Fair, to which was referred Senate Bill No. 431, introduced by Senator McCutchan by request, begs leave to report the same back to the Senate, with the recommendation that the following bill be substituted therefor and that said substituted bill do pass.

McCUTCHAN,  
Chairman.

Which report was concurred in.

Substitute Senate Bill No. 431, as follows :

A bill for an act providing for the payment to the Treasurer of State of the unexpended balance now in the hands of the Board of Managers for Indiana, for the Columbian Exposition held at Chicago in the year 1893, and declaring an emergency.

WHEREAS, There is now in the hands of the Board of Managers of Indiana for the Columbian Exposition, held at Chicago, in the year 1893, an unexpended balance in the sum of about two thousand dollars ; and,

WHEREAS, There are certain items of indebtedness owing by said Board which are unpaid ; and,

WHEREAS, Other of the States are publishing souvenirs of their exhibits at said Columbian Exposition which, in the matter of exchanges between States will necessitate an expense to be borne by said Board ; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana, That the Board of Managers of Indiana for the Columbian Exposition, held at Chicago, in the year 1893, be and they are hereby directed to pay J. L. Campbell, President of said Board, one hundred dollars, to be by him used, so far as need be, in payment of the incidental expenses connected with the exchange between States of published State souvenirs, and at the end of six months from the passage of this act he shall pay to the Treasurer of State any balance of said sum remaining in his hands unexpended, taking a receipt therefor from said Treasurer, and filing the same with the Auditor of State.*

SEC. 2. Said Board of Managers of Indiana for said Columbian Exposition shall, immediately after the taking effect of this act proceed to settle all claims due from said Board to any person or persons, except as is provided for in section one of this act, taking receipts for all sums so paid out by them on account of said claims, and at the expiration of thirty days from the taking effect of this act said Board shall file a report of their said disbursements, with all their vouchers, with the Auditor of State, and shall pay to the Treasurer of State any unexpended balance of said funds, taking his receipt therefor, which shall also be filed with the Auditor of State, and thereupon said Board of Managers shall be dissolved and shall be relieved from any further duties and responsibilities as such Board of Managers.

SEC. 3. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in force from and after its passage.

Senator Boyd offered the following resolution and moved its adoption :

MR. PRESIDENT :

I desire to offer the following resolution :

*Resolved, That Senator J. T. White be allowed the following amount of expenses as a member of the Benevolent Committee in the investigation of the Hospital for the Insane at Evansville, Ind :*

Railroad fare.....	\$8 25
To incidental expenses .....	5 00
Total.....	<hr/> \$13 25

Therefore, this Senate directs that the President and Assistant Secretary of the Senate draw a warrant on the State Treasury for the above specified amounts.

Respectfully submitted,

THOS. E. BOYD,

Chairman Committee on Benevolent Institutions.

The question being upon the adoption of the resolution.

Those voting in the affirmative were:

Senators Baker, Bethell, Bird, Boyd, Bozeman, Cranor, Duncan, Ellison, Gifford, Gostlin, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 41.

So the resolution was adopted.

The Committee on Cities and Towns made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred Engrossed House Bill No. 646, introduced by Mr. Gibson, begs leave to report the same back to the Senate with the recommendation that the same do pass.

O'BRIEN,

Chairman.

Senator Stuart moved that the constitutional rule requiring bills to be read on three several days be suspended, that the bill be read the second time by title, read the third time by sections now, and placed upon its passage.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were:

Senators Baker, Bethell, Bird, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McKelvey, McLean, McManus, Mull,

Newby, O'Brien, Parker, Phares, Rinear, Schneck, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 42.

None voting in the negative.

So the constitutional rule was suspended, the bill read the second time by title.

The bill was read the third time by sections.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 42.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senator Gostlin, Chairman of the Committee on Rights and Privileges, made the following report:

MR. PRESIDENT:

Your Committee on Rights and Privileges and Federal Relations, to which was referred Senate Concurrent Resolution No. 21, begs leave to report the same back to the Senate, with the recommendation that the same be adopted.

GOSTLIN,  
Chairman.

Which report was concurred in.

Senator Shiveley moved that the resolution be adopted.

Which motion prevailed.

Senator Shiveley moved that the Senate resolve itself into a Committee of the Whole Senate for the consideration of Engrossed House Bill No. 588.

Which motion was lost.

Engrossed House Bill No. 628 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Barnes, Bird, Boord, Boyd, Bozeman, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 40.

Senator Collett voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 289 was read the second time.

Senator Sweeney moved that the constitutional rule requiring bills to be read on three several days be suspended, and the bill be read the third time by sections now and put upon its passage.

The question being upon the suspension of the constitutional rule.

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Crumpacker, Gifford, Gostlin, Haggard, Houghton, Johnston, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Self, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 38.

Those voting in the negative were:

Senators Duncan, Ellison, Holler, Humphreys, Kerns of Vermillion, Schneck. Total, 6.

So the constitutional rule was suspended.

The bill was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Gifford, Gostlin, Haggard, Holler, Humphreys, Johnston, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Parker, Phares, Rinear, Self, Shiveley, Stuart, Sweeney, Watson, White, Wray.  
Total, 39.

Those voting in the negative were :

Senators Duncan, Ellison, Houghton, Kerns, Schneck.  
Total, 5.

So the bill passed.

The title of the bill was ordered to stand as the title of the act.

Senator Boyd offered Senate Concurrent Resolution No. 23, as follows :

A concurrent resolution accepting fifty (50) sets of Myers' Annotated Revised Statutes, 1895.

*Be it resolved*, That the Senate and House of Representatives accept a tender of fifty (50) sets of Myers' Annotated Revised Statutes of Indiana, 1895, in three (3) volumes, similar in sections to the Revised Statutes, 1881, with continuation sections embracing late laws, and that the same be accepted as *prima facie* evidence of the existence of all laws and parts of laws, and the dates of the acts therein contained, in all courts and proceedings in this State; said fifty (50) sets to be delivered to the Secretary of State, who shall cause to be delivered one copy to each of the Supreme and Appellate Court Judges, the State Libraries, and to officers of the State heretofore entitled to such statutes, and the residue shall be sold, at the discretion of the Secretary of State, and the money and proceeds thereof paid into the State Treasury, said publisher, Myers, hereby agreeing to furnish a number of copies of Statutes, not exceeding one hundred, for State use only, at a price not greater than eight (\$8.50) dollars and fifty cents each, on request of said Secretary of State, and on convening of the next General Assembly a sufficient number of copies, as above, if wanted for members of such Assembly.

BOYD.

Referred to the Committee on Finance.



Senator Boord moved that Senate Bill 420 be made a special order for to-morrow at 4:30 o'clock p. m.

Which motion prevailed.

Senator Crumpacker moved that when the Senate adjourns it adjourn until to-morrow morning at 9:30 o'clock.

Which motion prevailed.

Senator Cranor offered Senate Concurrent Resolution No. 22, as follows :

*Resolved by the Senate, the House concurring,* That the President of the Senate shall appoint two Senators, both of whom shall be of the majority, who shall with a like number of members to be selected by the House, be a conference committee to make and report an adjustment of the disagreement of the two houses upon House Bill No. 689.

O. N. CRANOR.

Which resolution was adopted.

The President appointed Senators Cranor and Haggard as members of said committee on the part of the Senate.

Senator Crumpacker moved to adjourn.

Senators Newby and McCord demanded the ayes and noes.

Those voting in the affirmative were :

Senators Alexander, Barnes, Bird, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, Parker, Rinear, Seller, Stuart, Sweeney, Wray. Total, 18.

Those voting in the negative were :

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White. Total, 27.

So the motion was lost.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 51, 293, 364, and Senate Bills Nos 292, 480, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 51, entitled :

An act defining the Fifth and Seventh Judicial Circuits of the State of Indiana, fixing the time of holding courts in said circuits, prescribing the length of terms thereof, providing for the return of process therein, repealing all laws in conflict therewith, and declaring an emergency.

Read the first time and referred to the Committee on Organization of Courts.

Engrossed House Bill No. 293, entitled :

A bill for an act to amend an act entitled an act to amend an act entitled an act to amend section one (1) of an act entitled an act to amend section thirty-four (34) of an act entitled an act to provide for a general system of common schools, the officers thereof and their respective powers and duties and matters properly connected therewith, and prescribing fees for certain officers therein named and for the establishment and regulations of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865, approved March 6, 1883, approved March 2, 1889, approved February 25, 1893.

Read the first time and referred to the Committee on Education.

Engrossed House Bill No. 364, entitled :

An act authorizing boards of county commissioners to appropriate money in aid of special improvements in highways.

Read the first time and referred to the Committee on Judiciary.

Senator McDonald moved to adjourn.

Senators Crumpacker and Boyd demanded the ayes and noes.

Those voting in the affirmative were:

Senators Barnes, Bird, Ellison, Gifford, Humphreys, Johnston, Leyden, McDonald, McHugh, McKelvey, Parker, Rinear, Seller, Stuart, Sweeney, Wray. Total, 16.

Those voting in the negative were:

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Craynor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kern of Marion, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White. Total, 29.

So the motion was lost.

The Committee on Judiciary made the following reports:

MR. PRESIDENT:

A majority of your Committee, to which was referred House Bill No. 132, introduced by Mr. Boardman, begs leave to report the same back to the Senate, with the recommendation that the same be amended by striking out section 11, and inserting in lieu thereof the following:

Section 11. Nothing contained in this act shall apply to, or in anywise affect, the office of "State House" engineer, as now established by law; but said office, and the manner of electing the incumbent, his duties and compensation remain and continue as now fixed by law.

And that when said bill is so amended, that the same do pass.

L. W. VAIL,  
O. N. CRANOR,  
SAMUEL PARKER,  
J. W. KERN.

MR. PRESIDENT:

A minority of your Committee on Judiciary, to which was referred House Bill No. 182, introduced by Mr. Boardman, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
J. J. M. LAFOLLETTE,  
CHAS. E. SHIVELEY.

The question being, Shall the minority report be substituted for the majority report?

Senators Shiveley and Bozeman demanded the ayes and noes.

Those voting in the affirmative were:

Senators Boyd, Bozeman, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, Mull, Newby, Phares, Schneck, Self, Shiveley, Watson, White. Total, 20.

Those voting in the negative were:

Senators Alexander, Baker, Barnes, Bird, Boord, Collett, Cranor, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McManus, O'Brien, Parker, Rinear, Seller, Stuart, Sweeney, Vail, Wray. Total, 25.

So the minority report was not substituted for the majority report.

The majority report was then adopted and the bill was ordered to the third reading.

Senator Vail, Chairman of the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate Enrolled Bills Nos. 466, introduced by Senator Rinear, and 438, introduced by Senator Cranor, begs leave to report that they have compared the enrolled bill with the bill as passed by the Senate and find the same to be correct.

VAIL,  
Chairman.

The President of the Senate made the following announcement:

*To the Senate:*

I hereby report that I have signed Senate Enrolled Acts Nos. 466 and 438.

MORTIMER NYE,  
President of the Senate.

The Committee on Enrolled Bills made the following report:  
MR. PRESIDENT:

Your Committee on Enrolled Bills, to which was referred Senate Enrolled Bill No. 49, introduced by Senator Newby, begs leave to report that they have compared the enrolled bill with the bill as passed by the Senate and find the same to be correct.

VAIL,  
Chairman.

Which report was concurred in.

The President of the Senate submitted the following:  
*To the Senate:*

I hereby report that I have signed Senate Enrolled Act No. 40.

MORTIMER NYE,  
President of the Senate.

On motion of Senator Wray, the Senate adjourned.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.

## THURSDAY MORNING.

MARCH 7, 1895.

The Senate convened at 9:30 A. M. with Lieutenant-Governor Nye in the chair.

After a portion of the Journal had been read, on motion of Senator Wray, the further reading of the same was dispensed with.

Senate Resolution No. 29 was read the third time.

The question being upon the adoption of the resolution.

Those voting in the affirmative were :

Senators Baker, Barnes, Beck, Bethell, Bird, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kern of Marion, Kerns of Vermillion, LaFollette, McCord, McCutchan, McDonald, McKelvey, McLean, McManus, Mull, Newby, O'Brien, Phares, Rinear, Schneck, Self, Shiveley, Stuart, Vail, Watson, White, Wray. Total, 35.

Senator Humphreys, Johnston, Sweeney, voting in the negative.

So the resolution was adopted.

Senate Resolution No. 30 was read the third time.

The question being, Shall the resolution be adopted?

Those voting in the affirmative were :

Senators Alexander, Baker, Beck, Bethell, Bird, Cranor, Crumpacker, Duncan, Gifford, Gostlin, Haggard, Holler, Houghton, Johnston, Kern of Marion, Kerns of Vermillion, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, O'Brien, Phares, Shiveley, Stuart, Vail, Watson, White, Wray. Total, 34.

Those voting in the negative were :

Senators Humphreys, LaFollette, Newby, Rinear, Schneck, Sweeney. Total, 6.

The resolution was adopted.

Senate Bill No. 484 was read the second time and ordered engrossed.

Senator Kern moved that the constitutional rule requiring bills to be read on three several days be suspended, the bill be considered engrossed and read the third time by sections now.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Collett, Cranor, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Rinear, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 41.

Those voting in the negative were:

Senators Houghton, Phares, Schneck, Self. Total, 4.

So the constitutional rule was suspended, the bill was read a third time by sections and placed upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, O'Brien, Parker, Rinear, Shiveley, Stuart, Sweeney, Vail, Watson, Wray. Total, 38.

Those voting in the negative were:

Senators Houghton, Humphreys, Phares, Schneck, Self, White. Total, 6.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The Committee on the Inspection of the Journal **made** following report :

**MR. PRESIDENT :**

Your Committee on Inspection and Supervision of **the Senate Journal** begs leave to report that it has examined **all of the** Journal since last report, February 6, 1895, up to and **including** March 2, 1895, and find the same correct.

**L. P. NEWBY,**  
Chairman.

Which report was concurred in.

The Committee on Military Affairs made the following report :

**MR. PRESIDENT :**

Your Committee on Military Affairs, to which was referred House Concurrent Resolution No. 5, introduced by Representative Thomas, concur in the resolution.

**McCUTCHAN,**  
Chairman.

Which report was concurred in.

The question being on the adoption of the resolution.

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Collett, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLéan, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 41.

Those voting in the negative were :

Senators Holler and Johnston. Total, 2.

So the resolution was adopted.



The Committee on Military Affairs made the following report:

MR. PRESIDENT:

Your Committee on Military Affairs, to which was referred House Bill No. 642, introduced by Mr. Hamrick, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

McCUTCHAN,  
Chairman.

Which report was concurred in.

Senator Newby moved that the bill be advanced to the second reading.

Which motion prevailed.

Senator Kern offered Amendment No. 1, as follows:

MR. PRESIDENT:

I move to amend Engrossed House Bill No. 642 by striking out of the same the words "William Henry Harrison" and inserting in lieu thereof the words "Thomas A. Hendricks" in each of the several places where the same appear in said bill.

KERN.

Senator Newby demanded the previous question.

The demand was seconded by the Senate.

The question being, Shall the main question be now put?

Those voting in the affirmative were:

Senators Baker, Bethell, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Kerns of Vermillion, LaFollette, McCord, McCutchan, Manwaring, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White. Total, 26.

Those voting in the negative were:

Senators Alexander, Barnes, Beck, Bird, Ellison, Gifford, Houghton, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Selser, Stuart, Sweeney, Wray. Total, 21.

So the main question was ordered.

The question being on the adoption of the amendment.

Those voting in the affirmative were :

Senators Alexander, Barnes, Beck, Bird, Ellison, Gifford, Houghton, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Sweeney, Wray. Total, 21.

Those voting in the negative were :

Senators Baker, Bethell, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White. Total, 27.

So the amendment was not adopted.

The bill was then ordered to the third reading.

Engrossed House Bill No. 165, which was made a special order for this hour, was now taken up.

The report of the Committee on Temperance was again read.

Senator Shiveley moved that the amendments offered by the Committee be considered *seriatim*.

Which motion prevailed.

The amendments to section 2 were read.

There being three amendments to this section, Senator O'Brien asked for a division.

Senator Cranor demanded the previous question.

The Senate refused to second the demand.

The question being on the adoption of the first proposition of the amendment to section 2.

Those voting in the affirmative were:

Senators Alexander, Baker, Bethell, Bird, Boord, Cranor, Crumpacker, Duncan, Ellison, Gostlin, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCutchan, McHugh, McLean, Manwaring, O'Brien, Phares, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 34.

Those voting in the negative were :

Senators Barnes, Beck, Boyd, Bozeman, Collett, Gifford, Haggard, McCord, McDonald, McKelvey, McManus, Mull, Newby, Parker, Rinear. Total, 15.

So the first amendment to section 2 was adopted.

The question being on the adoption of the second amendment to section 2.

Those voting in the affirmative were :

Senators Alexander, Baker, Bird, Boord, Bozeman, Collett, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCutchan, McHugh, McLean, Manwaring, O'Brien, Phares, Self, Shiveley, Stuart, Vail, Watson, White, Wray. Total, 33.

Those voting in the negative were :

Senators Barnes, Beck, Bethell, Boyd, Cranor, McCord, McDonald, McKelvey, McManus, Mull, Newby, Parker, Rinear, Schneck, Seller, Sweeney. Total, 16.

So the second amendment to section 2 was adopted.

The question being on the adoption of the third amendment to section 2.

Those voting in the affirmative were :

Senators Alexander, Bird, Boord, Crumpacker, Duncan, Ellison, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, LaFollette, Leyden, McCutchan, McHugh, McLean, Phares, Seller, Stuart, Vail, Watson, Wray and the President of the Senate. Total, 25.

Those voting in the negative were :

Senators Baker, Barnes, Beck, Bethell, Boyd, Bozeman, Collett, Cranor, Gifford, Kerns of Vermillion, McCord, McDonald, McKelvey, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Rinear, Schneck, Self, Shiveley, White. Total, 24.

So the third amendment to section 2 was adopted.

The amendment to section 3 was read.

The question being on the adoption of the amendment.

Those voting in the affirmative were :

Senators Alexander, Bethell, Bird, Boord, Crumpacker, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCutchan, McHugh, McLean, McManus, Mull, Parker, Phares, Schneck, Self, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 31.

Those voting in the negative were :

Senators Baker, Barnes, Beck, Boyd, Bozeman, Collett, Cranor, Ellison, Gifford, McCord, McDonald, McKelvey, Manwaring, Newby, O'Brien, Rinear, Seller. Total, 17.

So the amendment was adopted.

The amendments to section 4 were read :

There being four amendments to this section, a separate vote was taken on each.

The question being on the adoption of the first amendment to section 4.

Those voting in the affirmative were :

Senators Alexander, Barnes, Bethell, Bird, Boord, Collett, Crumpacker, Ellison, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, McCutchan, McHugh, McLean, Mull, Phares, Schneck, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 31.

Those voting in the negative were :

Senators Baker, Beck, Boyd, Bozeman, Cranor, Gifford, McCord, McDonald, McKelvey, McManus, Manwaring, Newby, O'Brien, Parker, Rinear, Self. Total, 16.

So the first amendment to section 4 was adopted.

The question being on the adoption of the second amendment to section 4.

Those voting in the affirmative were:

Senators Alexander, Bethell, Bird, Boord Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCutchan, McHugh, Mull, Phares, Stuart, Vail, Watson, Total, 28.

Those voting in the negative were:

Senators Baker, Barnes, Beck, Boyd, Bozeman, Collett, Cranor, Ellison, Gifford, McCord, McDonald, McKelvey, McLean, McManus, Manwaring, Newby, O'Brien, Parker, Rinear, Schneck, Self, Seller, Shiveley, Sweeney, White, Wray, Total, 26.

So the second amendment to section 4, was rejected.

The question being on the adoption of the third amendment to section 4.

Those voting in the affirmative were:

Senators Alexander, Bethell, Bird, Boord, Bozeman, Crumpacker, Duncan, Ellison, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCutchan, McHugh, Parker, Phares, Schneck, Seller, Sweeney, Vail, Watson, Wray. Total, 28.

Those voting in the negative were:

Senators Baker, Barnes, Beck, Boyd, Collett, Cranor, Gifford, McCord, McDonald, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Rinear, Self, Shiveley, White, Stuart. Total, 21.

So the third amendment to section 4 was adopted.

The question being on the adoption of the fourth amendment to section 4.

Those voting in the affirmative were:

Senators Baker, Bethell, Bird, Boord, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McHugh, McLean, McManus, Mull, O'Brien, Parker, Phares, Schneck, Self, Seller, Shiveley, Stuart, Watson, White. Total, 33.

Those voting in the negative were :

Senators Alexander, Barnes, Beck, Boyd, Gifford, Humphreys, Johnston, Kern of Marion, McDonald, McKelvey, Newby, Rinear, Sweeney, Vail, Wray. Total, 15.

So the fourth amendment to section 4 was adopted.

The question being on the adoption of the amendment to section 8.

Those voting in the affirmative were :

Senators Baker, Bethell, Bird, Collett, Crumpacker, Duncan, Ellison, Gostlin, Haggard, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCutchan, McHugh, McLean, McManus, Manwaring, Mull, O'Brien, Parker, Phares, Schneck, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 84.

Those voting in the negative were :

Senators Alexander, Barnes, Beck, Boyd, Bozeman, Cranor, Gifford, Holler, McCord, McKelvey, Newby, Rinear, Self. Total, 13.

So the amendment to section 8 was adopted.

Senator Stuart moved to adjourn.

Senators McDonald and Stuart demanded the ayes and noes.

Those voting in the affirmative were :

Senators Baker, Bird, Cranor, Ellison, Gifford, Houghton, Johnston, McKelvey, Parker, Schneck, Stuart, Sweeney, Wray. Total, 13.

Those voting in the negative were :

Senators Alexander, Barnes, Bethell, Boyd, Bozeman, Collett, Crumpacker, Duncan, Gostlin, Haggard, Holler, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Rinear, Self, Seller, Shiveley, Vail, Watson, White. Total, 84.

So the motion was lost.

The question being on the adoption of the amendment to section 9.

Those voting in the affirmative were :

Senators Alexander, Crumpacker, Gostlin, Haggard, Holler, Humphreys, Johnston, Kern of Marion, LaFollette, Leyden, McCutchan, McHugh, McLean, Parker, Phares, Stuart, Sweeney, Vail, Watson, Wray. Total, 20.

Those voting in the negative were :

Senators Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Duncan, Ellison, Gifford, Houghton, Kerns of Vermillion, McCord, McDonald, McKelvey, McManus, Manwaring, Mull, Newby, O'Brien, Rinear, Schneck, Self, Seller, Shiveley. Total, 28.

So the amendment was rejected :

Senator Baker moved that the constitutional rule requiring bills to be read on three several days be suspended, that the bill be read the second and third times and placed upon its passage now.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boyd, Cranor, Duncan, Ellison, Gifford, Houghton, Kerns of Vermillion, Leyden, McCord, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Rinear, Seller, Shiveley, Sweeney, White, Wray. Total, 31.

Those voting in the negative were :

Senators Boord, Bozeman, Collett, Crumpacker, Gostlin, Haggard, Holler, Humphreys, Johnston, Kern of Marion, LaFollette, McCutchan, Phares, Schneck, Self, Stnart, Vail, Watson. Total, 18.

So the constitutional rule was not suspended.

The President of the Senate announced that he had signed House Enrolled Acts Nos. 107, 384 and 622.

The President of the Senate made the following report :

*To the Senate :*

I respectfully report that the Assistant Secretary and myself have drawn warrants numbered from one to five hundred and twenty-nine inclusive as shown by the warrant book.

MORTIMER NYE,  
President of the Senate.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 458 and Senate Bill No. 180, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill, No. 458, entitled :

A bill for an act to amend section 57 of an act entitled an act concerning elections, providing penalties for the violation of the same, and repealing all laws in conflict therewith, approved March 6, 1889, and declaring an emergency.

Read the first time and referred to the Committee on Education.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bills Nos. 238, 161 and 11 and Senate Concurrent Resolution No. 22, and House Bills Nos. 589, 520 and 393, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.



Engrossed House Amendment to Senate Bill No. 238 :

MR. SPEAKER :

I move to amend Senate Bill No. 238 as follows :

By striking out all after the word "peace," in line 9, section 1, to and including the word "from," in line 12 of same section, and inserting the following: "And the parties to such action shall agree to the same."

MOORE.

Engrossed House Bill No. 589, entitled :

A bill for an act requiring railroad companies to put in interlocking switches where the track of one railroad company crosses the track of another, prescribing the duties of railroad companies in relation to putting in such switches, providing what the mode of procedure shall be, giving a lien to the company putting in an interlocking switch, and declaring an emergency.

Read the first time and referred to the Committee on Railroads.

Engrossed House Bill No. 520 :

A bill for an act to amend section ten (10) of an act entitled "An act concerning ferries, and prescribing punishment for the violation of its provisions," approved April 16, 1881, the same being section 4888 of the Revised Statutes of 1881.

Read the first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 393, entitled :

A bill for an act concerning bailiffs of circuit courts, authorizing the appointment of certain bailiffs thereof by the courts respectively, fixing their compensation and repealing all laws in conflict herewith.

Read the first time and referred to the Committee on Organization of Courts.

The Committee on Enrolled Bills made the following report:  
**MR. PRESIDENT :**

Your Committee on Enrolled Bills, to which was referred Senate Enrolled Bills No. 161 and 11, begs leave to report that they have compared the enrolled bills with the bills as passed by the Senate and find the same to be correct.

VAIL,  
 Chairman.

The President of the Senate announced that he had signed Enrolled Acts Nos. 161 and 11.

Senator Vail, Chairman of the Committee on Enrolled Bills, made the following report :

**MR. PRESIDENT :**

Your Committee on Enrolled Bill, to which was referred Senate Enrolled Bills Nos. 480 and 292, begs leave to report that they have compared the enrolled bills with the bills as passed by the Senate and find the same to be correct.

VAIL,  
 Chairman.

The report was concurred in.

The President of the Senate submitted the following :  
*To the Senate :*

I have signed Senate Enrolled Acts Nos. 480 and 292.

MORTIMER NYE,  
 President of the Senate.

Senator Newby moved that Engrossed House Bill No. 132 be made a special order for 5 o'clock to-day.

Which motion prevailed.

The following message was received from the House :

**MR. PRESIDENT :**

I am directed by the House to inform the Senate that the House has passed Senate Bills 213 and 359 and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
 Clerk.

*To the Senate :*

I have signed House Enrolled Acts numbered 646, 623, 289 and 442.

MORTIMER NYE,  
President of the Senate.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bills No. 269, 15, 186 and House Bill 428 and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 428, entitled :

A bill for an act to amend section 2071 of the Revised Statutes of 1881, which regulates the sale of milk, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

The following message was received from the Governor :

MR. PRESIDENT :

I am directed by the Governor to return Senate Bill No. 474, an act providing for the control of State Prisons, without his approval and his objections thereto for the consideration of the Senate.

Respectfully,

MYRON D. KING,  
Private Secretary.

The veto message is as follows :

EXECUTIVE DEPARTMENT, Indianapolis, Ind.

*To the Senate of the State of Indiana,*

HON. MORTIMER NYE, *President :*

I return, with the following objections, Senate Bill No. 474, relating to the management of State Prisons, and providing for the election or appointment of Boards of Directors for said Prisons.

This bill abolishes the offices of Prison Directors for the Northern and the Southern Prisons, and seeks to place these State institutions under the management of Boards of Prison Directors, each to consist of three persons. The bill creates another "Board," consisting of the Governor, Auditor, Treasurer, Secretary of State and the Attorney-General. This latter Board thus consisting, by virtue of the bill, of the persons who are State officers, is required to meet at a designated place at stated times and upon special notice, with the Auditor as clerk; a majority constitutes a quorum, of which quorum a majority is vested with full power. To this Board is given the power to appoint the members of the two Boards of Prison Directors, power to remove for cause upon notice and hearing, and the further power to fill all vacancies which may occur in the prison Boards.

The first objection to this bill is found in the fact that the Legislature creates an official Board to which it not only gives the power of appointment, but other important duties, and then appoints the members of this Board.

The Legislature may create official Boards and prescribe the mode of appointments in many instances, but it can not appoint the members.

To prescribe the mode of appointment is one thing, to appoint is another and different thing. To use the language of the Supreme Court: "One is the exercise of legislative power and the other the exercise of an executive function."

Therefore so much of the bill as creates a Board of Appointment, with certain duties and selects certain State officers as members of this Board, is unconstitutional.

It may be further observed that if the Legislature can create a Board of this character and name the appointees, it can create the Board and omit the Governor therefrom, and if it can appoint the Attorney-General a member, who is not a constitutional officer, it can name a Board composed entirely of persons who are not constitutional officers. In other words, it can appoint a Board, the members of which are officials who are neither constitutional officers, nor named as administrative officers by the Constitution. It is also a matter of grave doubt

whether the appointment of the Attorney-General on this Board does not impeach its validity. He is the legal adviser of the Board and the Attorney for the State, can such an official be placed on such a Board?

There is another serious objection to the bill; it seeks to vest in a Board consisting of the persons named the power to appoint to certain officers, which power, under the Constitution, can not be vested in such a Board. The appointment to an office of the character named in the bill is an executive power and duty; the executive power is vested in the Governor, and not in the ministerial offices, or in boards; the Governor when associated with others who constitute a Board where the members have an equal voice with him, is not and can not be acting as Governor.

It is true that in the distribution of the powers of government the Constitution of the State says that they shall consist of "the legislative, the executive (including the administrative), and the judicial; but the same supreme law also declares that "the executive power of the State shall be vested in a Governor," and "he shall take care that the laws be faithfully executed." Now the administrative department is regulated by Article VI of the Constitution; the officers there named are the Secretary, Auditor and Treasurer of State, and certain county and other local offices. When the Constitution was framed these various administrative offices were in existence, with ascertained functions, and when they are simply named in the Constitution without more, they are so named with reference to the performance of the ascertained duties recognized as incident to the offices named. It may be true that under these provisions of the Constitution the executive department includes the administrative; nevertheless, it is equally clear under these provisions that the administrative does not include the executive, and when the executive functions are specifically conferred by the Constitution upon the Governor, and such duties embrace the function of appointment to offices of the character named in this bill, the Legislature can not give to a Board such power. It has been said by our Supreme Court where such a Board as this, composed of persons who were State officers, was under consideration, that "any power or authority

vested by the Legislature in the Governor, together with other officers of persons, in which they are to have an equal voice with him, can not be executive, as he alone is vested with the executive power of the State. Any duty which by law he is required to perform in connection with others in which they have an equal voice with him, can in no sense be said to be an executive duty." This bill gives to a majority of a quorum of the Board a controlling power. Our Supreme Court has further said that appointment to office is an executive function, unless the office be one the duties of which are necessarily in aid of legislative or judicial functions, or in aid of some particular administrative department, in which latter cases the power of appointment may be exercised by a department or officer served by the appointee.

There is a further objection to the bill: If the officers named to whom supervision is given of the State prisons be State officers, then so much of the bill as relates to the filling of vacancies in such offices is clearly unconstitutional, for the Constitution declares that "when at any time a vacancy shall have occurred in any other State office the Governor shall fill such vacancy by appointment."

The power to appoint is not the most agreeable duty an executive has to perform. With its attending discomfort and annoyance, no executive would seek it as a pleasant duty. But believing it to be a constitutional right, privilege and function of the executive, I would be recreant to the office I hold did I not seek, by every means in my command, to protect and maintain these prerogatives. I contended for this right and principle two years ago with the General Assembly, and had the support of many who are members of both houses of the present assembly. I still propose to resist every attempt to deprive the office of Governor of this right, and can not under any consideration become a party to the surrender to a Board composed of purely administrative officers any of the rights and responsibilities which by the Constitution is placed upon the Governor of the State.

CLAUDE MATTHEWS,

Governor.

Senator Newby offered the following motion :

MR. PRESIDENT :

I move that the message of the Governor vetoing Senate Bill No. 474 be received, and his objections to said bill be entered at large upon the Journal of the Senate, and that the Senate do now proceed to the consideration of said Senate Bill No. 474, and that said bill do pass, notwithstanding the objections of the Governor, and upon this motion I demand the previous question.

NEWBY.

The Senate seconded the demand for the previous question.

The question being, Shall the main question be now put ?

Those voting in the affirmative were :

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White. Total, 29.

Those voting in the negative were :

Senators Alexander, Barnes, Beck, Bird, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, Rinear, Seller, Stuart, Sweeney, Wray. Total, 19.

So the main question was ordered.

The question being, Shall the bill pass, notwithstanding the objections of the Governor thereto ?

Those voting in the affirmative were :

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White. Total, 29.

Those voting in the negative were :

Senators Alexander, Barnes, Beck, Bird, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Sweeney, Wray. Total, 20.

So Enrolled Senate Act No. 474 was passed, notwithstanding the objections of the Governor thereto.

Senator Vail made the following motion :

MR. PRESIDENT :

I move to reconsider the vote on House Bill No. 46, by which said bill was passed.

VAIL.

Senator McCord moved to make the consideration of this motion a special order for to-morrow at 2 o'clock P. M.

Which motion prevailed.

Senator Vail made the following motion :

MR. PRESIDENT :

I move to recall House Bill No. 46 from the House for further consideration.

VAIL.

Which motion was lost.

Engrossed House Bill No. 588, the consideration of which was made a special order for this afternoon, was now taken up.

Senator Seller moved that the constitutional rule requiring bills to be read on three several days be suspended, the bill read a second time by title and a third time by sections and put upon its passage.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were :

Senators Baker, Bird, Boord, Boyd, Bozeman, Collett, Duncan, Ellison, Gifford, Holler, Houghton, Kern of Marion, Kerns of Vermillion, McCord, McCutchan, McDonald, McHugh, McLean, McManus, Munwaring, Mull, Phares, Rinear, Seller, Shiveley, Stuart, Vail, White, Wray. Total, 29.



Those voting in the negative were:

Senators Alexander, Barnes, Beck, Crumpacker, Humphreys, Johnston, LaFollette, Leyden, McKelvey, Schneck, Self, Sweeney. Total, 12.

So the constitutional rule was not suspended.

The bill was read the second time and ordered to the third reading.

Senator Duncan moved that the consideration of Engrossed House Bill No. 335 be made a special order for 9 o'clock to-morrow morning.

Which motion prevailed.

Senator Seller moved that the consideration of Engrossed House Bill No. 383 be made a special order for 9:30 o'clock to-morrow morning.

Which motion prevailed.

Senator Kern moved that the consideration of Senate Bill No. 473, House Bills Nos. 265, 266, 311 and 313 be made a special order for to-morrow at 2 o'clock.

Which motion prevailed.

The Committee on Organization of Courts made the following reports:

MR. PRESIDENT:

A majority of your Committee on Organization of Courts, to which was referred House Bill No. 624, introduced by Mr. Robinson, begs leave to report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

CHARLES E. SHIVELEY,  
FRED. BOORD,  
ISAAC H. PHARES,  
R. F. STUART.

MR. PRESIDENT :

A minority of your Committee on Organization of Courts, to which was referred House Bill No. 624, introduced by Mr. Robinson, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

H. Q. HOUGHTON,  
T. E. ELLISON.

Senator Watson moved that the consideration of this bill be made a special order for to-morrow at 2:30 P. M.

Which motion prevailed.

Engrossed House Bill No. 591, which was made a special order for this hour, was now taken up.

The Committee on Prisons made the following report :

MR. PRESIDENT :

Your Committee on Prisons, to which was referred House Bill No. 591, introduced by Mr. Culbert, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

WATSON,  
Chairman.

Which report was concurred in.

Senator Watson moved that the constitutional rule requiring bills to be read on three several days be suspended, that the bill be read the second time by title, read the third time by sections and placed upon its passage.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were :

Senators Baker, Barnes, Bethell, Boord, Boyd, Collett, Cranor, Crumpacker, Duncan, Ellison, Gostlin, Haggard, Holler, Houghton, Kern of Marion, Kerns of Vermillion, Leyden, LaFollette, McCord, McCutchan, McDonald, McLean, McManus, Manwaring, O'Brien, Parker, Phares, Schneck, Self, Shiveley, Vail, Watson, White, Wray. Total, 34.

Those voting in the negative were:

Senators Bird, Gifford, Humphreys, Johnston, McKelvey Rinear, Seller, Stuart, Sweeney. Total, 9.

So the constitutional rule was suspended and the bill was read the second time.

Senator Schneck offered Amendment No. 1, as follows:

MR. PRESIDENT:

We beg leave to amend by substituting the following to House Bill No. 591:

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* That at the expiration of the sentence and discharge of any convict, the Warden of any State prison shall, at the request of said convict, give him a certificate verifying as to his general conduct (while confined in said prison) and as to what kind of labor he is able to perform.

SEC. 2. Such Warden shall (at the time of discharge of any convict, whether by pardon, parol or expiration of sentence) notify him that he is not permitted to visit any saloon or disorderly house, within five days after his discharge, within the limits of the county where said prison is situated, nor remain in said county exceeding five days, unless he has secured steady and honest employment in said county, and acquired the reputation of having become a respectable citizen.

SEC. 3. It shall be the duty of any city or town marshal or constable to arrest and transport beyond the limits of said county any ex-convict violating said order of any Warden as provided in section 2.

SEC. 4. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in force and effect from and after its passage.

L. SCHNECK.

Senator Watson moved to reject the amendment.

Which motion prevailed.

The bill was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Boord, Boyd, Bozeman, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Self, Seller, Shiveley, Stuart, Vail, Watson, White. Total, 31.

Those voting in the negative were:

Senators Alexander, Beck, Bird, Ellison, Gifford, Humphreys, Johnston, McKelvey, McLean, Parker, Rinear, Scheck, Wray. Total, 13.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 132 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White. Total, 29.

Those voting in the negative were:

Senators Alexander, Barnes, Beck, Bird, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Sweeney, Wray. Total, 20.

So the bill passed.

The title of the bill was ordered to stand as the title of the act.

Senator Shiveley moved to reconsider the vote by which Engrossed House Bill No. 132 was passed.

Senator McCord moved to lay the motion on the table.

Which motion prevailed.

Senator Newby moved that when the Senate adjourned, it adjourn to meet at 8 o'clock this evening.

Which motion prevailed.

Senator Crànor, Chairman of the committee appointed to confer with the House committee relative to the Senate amendments to Engrossed House Bill No. 639, made the following report:

MR. PRESIDENT:

We, your conferees, appointed to confer with a like number from the other branch of this General Assembly, upon the disagreement of the two houses upon certain Senate amendments to House Bill No. 639, begs leave to report that we have met the members appointed by the other House, and after having carefully considered the matters in controversy, have, with them, agreed upon the following, viz.:

The House shall accede to the Senate amendment to section 8, which amendment is in the words and figures following, to wit: "Amend section 8 by adding thereto the following: *Provided*, That the fees provided for in this act shall be in addition to the fees provided for by an act entitled an act requiring the Secretary of State to charge and collect for the benefit of the State certain fees from associations and incorporations desiring certain benefits under the laws of the State of Indiana, and requiring the associations and corporations desiring such benefits, to pay such fees, and declaring an emergency, approved March 4, 1891, and printed on pages 84, 85 and 86 of the printed acts of 1891, and this act shall in nowise conflict with or in any manner operate to repeal said act or any provisions thereof."

The House shall accede to the Senate amendment to section 13 when the same shall have been modified so as to read as follows, to wit: "Amend section 13 so as to make the salaries of the Judges of the Supreme Court \$4,500 per year."

The House shall accede to the Senate amendment to section 16, which reads as follows, to wit: Amend section 16 by adding thereto the following: "Except as otherwise provided by law."

The House shall accede to the Senate amendment to section 15, when the same shall have been modified so as to read as follows, to wit: "Amend section 15 so as to make the salary of the Judges of the Appellate Court \$3,750, instead of \$3,500."

Section 137 shall be amended to read as follows: "Where any Secretary of State, Auditor of State, Treasurer of State, Attorney-General or Clerk of the Supreme Court has been elected before the taking effect of this act, such officer shall not be subject to the provisions of this act until the first day of January, 1896, from and after which date such officer shall receive the compensation provided by this act, and until which time such officer shall receive the compensation now provided by law, the same as if this act had not been passed. Where any county officer, now in office, was elected at the general election of 1890, such officer, while holding under such election, shall not be subject to the provisions of this act, but shall perform the duties of his office and receive the compensation prescribed by law, the same as if this act had not been passed."

The Senate shall recede from all other Senate Amendments.

O. N. CRANOR,  
W. S. HAGGARD.

We, the conferees on behalf of the House, concur in the above report.

W. C. VAN ARSDEL,  
HENRY C. PETTIT.

The question being, Shall the Senate concur in the report of the Conference Committee?

Those voting in the affirmative were:

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McHugh, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Watson, White. Total, 29.

Those voting in the negative were:

Senators Alexander, Barnes, Beck, Bird, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McKelvey, McLean, Parker, Rinear, Seller, Stewart, Sweeney, Wray. Total, 19.

So the report was concurred in.

Senate Bill No. 420 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gostlin, Haggard, Holler, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, LaFollette, McCord, McCutchan, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Shiveley, Stuart, Vail, Watson, White, Wray. Total, 41.

Those voting in the negative were:

Senators McDonald and Seller. Total, 2.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senator Wray moved that Engrossed House Bill No. 325 be made a special order for 8:30 to-night.

Which motion prevailed.

Senator Crumpacker moved that Engrossed House Bill No. 89 be made a special order for 9 o'clock to-night.

Which motion prevailed.

Senator Vail moved that Engrossed House Bill No. 459 be made a special order for 8 o'clock to-night.

Which motion prevailed.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 33, 452, 472 and Senate Bills Nos. 193 and 327, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 33, entitled :

An act to amend section five (5) of an act entitled an act concerning powers and duties of cities and incorporated towns and their common councils and boards of trustees, and providing the mode and manner of making street and alley improvements and building sewers, and providing for the mode and manner of enforcing the payment of the costs of street and alley improvements and building sewers, and permitting cities or incorporated towns to issue street and sewer improvement bonds, approved March 8, 1889, and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

Engrossed House Bill No. 452, entitled :

A bill for an act to amend section three (3) of an act approved March 3, 1893, entitled, "An act providing for the regulation and supervision of foreign and domestic building, loan fund, savings or investment associations, making and filing of statements of the condition and the examination of the affairs of the same; prescribing penalties for the violation of the provisions of this act, and said act to be in force from and after April 1, 1893," and declaring an emergency.

Read the first time and referred to the Committee on Corporations.

Engrossed House Bill No. 472, entitled :

A bill for an act to regulate the arrest and surrender of fugitives from justice from other States and Territories and repealing all laws in conflict therewith.

Read the first time and referred to the committee on Judiciary.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 617, 411, 489, 559 and Senate Bill No. 369 and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.



Engrossed House Bill No. 617, entitled :

A bill for an act to provide for the establishment of a system of civil service, based upon merit and fitness, in connection with the employes of the penal reformatory and benevolent institutions of the State of Indiana, making the Board of State Charities a Civil Service Commission, authorizing such commission, in connection with the Governor, to formulate a system of rules and regulations, governing appointments, promotions and discharges in such civil service, providing for examinations, making appropriations for the execution of this act, and declaring an emergency.

Read the first time and referred to the Committee on Benevolent Institutions.

Engrossed House Bill No. 411, entitled :

A bill for an act to authorize the Board of Commissioners of Tipton County to relieve William H. Eaton from the payment of certain taxes and declaring an emergency.

Read the first time and referred to the Committee on County and Township Business.

Engrossed House Bill No. 489, entitled :

A bill for an act defining certain offenses and prescribing the punishment therefor, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 559, entitled :

An act defining the duties and powers of the common council of cities and the boards of trustees of incorporated towns and fixing a penalty for the violation of such act and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

Senator Kerns moved that Engrossed House Bill No. 230 be made a special order for 9 o'clock this evening.

Senator Crumpacker moved to adjourn.

Which motion prevailed.

## THURSDAY EVENING.

MARCH 7, 1895.

The Senate convened at 8 p. m. with Lieutenant-Governor Nye in the chair.

Senator Newby moved to concur in the House amendments to Engrossed Senate Bill No. 238.

Those voting in the affirmative were:

Senators Baker, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 44.

None voting in the negative.

So the amendments were concurred in.

Senator Newby moved to concur in the House amendments to Senate Bill No. 195.

Those voting in the affirmative were:

Senators Alexander, Baker, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 46.

None voting in the negative.

So the amendments were concurred in.

The following message was received from the Governor :

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has signed the following Senate Bills :

Senate Bill No. 13, an act concerning salaries of County Commissioners.

Senate Bill 124, an act changing name of the Mutual Life and Endowment Association.

Senate Bill 153, an act regulating liability of railroads and other corporations for personal injury to persons employed by them.

Senate Bill 205, an act concerning gravel roads.

Senate Bill 211, an act pertaining to Board of Trustees of water works.

Senate Bill 262, an act making annual appropriations to the Indiana State Board of Agriculture.

Senate Bill 360, an act concerning the town of Vernon, Jennings County.

Senate Bill 373, an act amending an act for a general system of common schools.

Senate Bill 392, an act in relation to issue and sale of bonds by Common Councils.

Senate Bill 438, an act regulating time of holding court in Forty-sixth Judicial Circuit.

Senate Bill 466, an act fixing time of holding court in Twenty-eighth Judicial Circuit.

Senate Bill 163, an act pertaining to common schools.

Senate Bill 11, an act concerning street railway companies.

Senate Bill 161, an act creating the office of Police Matron in certain cities.

Senate Bill 180, an act in relation to duties of Township Trustees.

Respectfully,

MYRON D. KING,

Private Secretary.

The Committee on Prisons made the following report:

MR. PRESIDENT:

Your Committee on Prisons, to which was referred House Bill No. 298, introduced by Mr. Floyd, begs leave to report the same back to the Senate with the recommendation that the same do pass.

W. H. WATSON,

Chairman.

Which report was concurred in.

Senator McDonald moved that the constitutional rule requiring bills to be read on three several days be suspended, the bill be read the second time by title and read the third time by sections now.

The question being upon the suspension of the constitutional rule.

Those voting in the affirmative were:

Senators Alexander, Baker, Beck, Bethell, Boyd, Collett, Crumpacker, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermilion, LaFollette, Leyden, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 42.

Senator Boord voting in the negative.

So the constitutional rule was suspended, the bill read the second time by title and the third time by sections and put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Boyd, Bozeman, Collett, Cranor, Crumpacker, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 44.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 459 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Bethell, Bozeman, Collett, Crumpacker, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCutchan, Manwaring, Mull, Newby, Parker, Phares, Self, Schneck, Shiveley, Vail, Watson, White. Total, 22.

Those voting in the negative were:

Senators Alexander, Beck, Bird, Boord, Cranor, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, O'Brien, Rinear, Seller, Stuart, Sweeney, Wray. Total, 21.

So the bill failed to pass for want of a constitutional majority.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has by resolution recalled Senate Bill No. 811 for further action.

R. A. BROWN,  
Clerk.

The President of the Senate announced that he has signed House Enrolled Act No. 65.

Senator Vail, Chairman of the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills, to whom was referred Senate Enrolled Bill No. 359, introduced by Senator McLean, begs leave to report that they have compared the enrolled bill with the bill as passed by the Senate and find the same to be correct.

VAIL,  
Chairman.

*To the Senate :*

I have signed Senate Enrolled Bill No. 359.

MORTIMER NYE,  
President.

The Committee on Enrolled Bills made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills, to whom was referred Senate Enrolled Bill No. 193, introduced by Senator Alexander, begs leave to report that they have compared the enrolled bill with the bill as passed by the Senate and find the same to be correct.

VAIL,  
Chairman.

The Committee on Enrolled Bills made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills, to whom was referred Senate Enrolled Bill No. 15, introduced by Senator Duncan, begs leave to report that they have compared the enrolled bill with the bill as passed by the Senate and find the same to be correct.

VAIL,  
Chairman.

The Committee on Enrolled Bills made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills, to which was referred Senate Enrolled Bill No. 186, introduced by Senator Collett, begs leave to report that they have compared the enrolled bill with the bill as passed by the Senate, and find the same to be correct.

VAIL,  
Chairman.

The President of the Senate announced that he had signed Senate Enrolled Bill No. 15.

The President of the Senate announced that he had signed Senate Enrolled Bill No. 186.

*To the Senate :*

I have signed Enrolled Senate Bill No. 193.

MORTIMER NYE,  
President.

Engrossed House Bill No. 325 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Beck, Bethell, Bird, Boyd, Collett, Cranor, Crumpacker, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCutchan, McDonald, McKelvey, McLean, McManus, Manwaring, Mull, Phares, Rinear, Schneck, Self, Shiveley, Stuart, Sweeney, Vail, Watson, Wray. Total, 37.

Senator White voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 89 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Baker, Beck, Bethell, Bird, Boord, Boyd, Collett, Cranor, Crumpacker, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, McCutchan, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 41.

None voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Watson moved that when the Senate adjourns it be until 9:30 A. M. to-morrow.

Which motion prevailed.

Engrossed House Bill No. 348 was read the second time and ordered to the third reading.

Senator Leyden moved to adjourn.

Which motion prevailed.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.



## FRIDAY MORNING.

MARCH 8, 1895.

The Senate convened at 9:30 o'clock A. M., with Lieutenant-Governor Nye in the chair.

Prayer was offered by the Rev. Thomas C. Brown, pastor of Friends' Church of Indianapolis.

After a portion of the Journal had been read, on motion of Senator Collett the further reading of the same was dispensed with.

The Committee on Enrolled Bills made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills, to which was referred Senate Enrolled Bill No. 238, introduced by Senator Newby, begs leave to report that they have compared the enrolled bill with the bill as passed by the Senate and find the same to be correct.

VAIL,  
Chairman.

The President of the Senate announced that he had signed Enrolled Senate Act No. 238.

The Special Committee which was appointed to investigate the abstraction of Senate Bill No. 303 made the following report :

MR. PRESIDENT :

Your Special Committee, appointed to investigate certain published statements reflecting on the conduct of Senator Seller in connection with Senate Bill 303, has had the same under consideration, and begs leave to submit the following report :

We examined under oath all persons who had any knowledge of the facts in the case, so far as we were able by diligent inquiry to learn of such persons. All clerks and other persons familiar with the bill, or who had any opportunity to know

about the same, and all persons claiming to know or likely to know of Senator Seller's connection therewith, were subjected to the most searching examination. And as a result of such investigation we find that, from the evidence, there is not the slightest ground for any charge or reflection upon the character of Senator Seller. We find that his conduct in connection with said bill was in the highest degree honorable.

It gives us pleasure to assure the Senate that there is nothing in the facts to disturb or affect in anywise the high esteem in which Senator Seller has been held by every member since the first day of his service in this body.

We also find from the evidence adduced that no clerk or other employe in the Senate was in any way connected with the abstraction of the said bill, but that all of them did their full duty in relation thereto.

Respectfully submitted,

O. N. CRANOR,  
O. A. BAKER,  
I. P. LEYDEN,  
GEO. H. GIFFORD,  
L. P. NEWBY.

Which report was concurred in.

Senator Stuart moved to defer the consideration of Engrossed House Bill No. 165 until 10 o'clock A. M.

Which motion was lost.

Engrossed House Bill No. 165 was read the second time.

Senator Seller offered Amendment No. 1 to House Bill No. 165, as follows:

MR. PRESIDENT:

I move to amend section nine (9) of Engrossed House Bill No. 165 by striking out of line one in said section the word "during" and inserting in lieu thereof the words "three days before." And by striking out of lines three and four the words "said Board of Commissioners" and inserting in lieu thereof the words "the Auditor of the county."

SELLER.

The question being on the adoption of Amendment No. 1.

Those voting in the affirmative were :

Senators Baker, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, McCord, McCutchan, McHugh, McLean, McManus, Manwaring, Mull, O'Brien, Parker, Phares, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 37.

Those voting in the negative were :

Senators Alexander, Beck, Bethell, Boyd, McDonald, McKelvey, Newby, Rinear. Total, 8.

So the amendment was adopted.

Senator McCutchan offered Amendment No. 2, as follows :

MR. PRESIDENT :

I move to amend section 3 by adding thereto the following "Any person, persons or partnership who shall have obtained a license to sell intoxicating liquors from the Board of County Commissioners of any county in the State of Indiana shall be entitled to keep such business open until 12 o'clock post meridian : *Provided*, This section shall apply to cities in this State with a population of twenty-five thousand inhabitants or over, the number of inhabitants to be computed and fixed by the last United States census."

McCUTCHAN.

The question being on the adoption of the amendment.

Those voting in the affirmative were :

Senators Johnston, Kern of Marion, McCutchan, McHugh, Stuart. Total, 5.

Those voting in the negative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Kerns of Vermillion, LaFollette, McCord, McDonald, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Sweeney, Vail, Watson, White, Wray. Total, 41.

So the amendment was rejected.

Senator Seller moved to admit all college students wearing college colors to the Senate Chamber.

Which motion prevailed.

Senator Kern offered Amendment No. 3, as follows :

MR. PRESIDENT :

I move to amend House Bill No. 165, by adding thereto the following section, which shall be numbered section 9½ :

Section 9½. It shall be unlawful for any spiritous, vinous or malt liquor to be sold or given away in any drug store in any quantity, except upon the written prescription of a reputable practicing physician not connected with such drug store for each sale or gift.

Any person violating any of the provisions of this section shall be fined for the first offense the sum of \$25.00 and for the second offense, in any sum not less than one hundred nor more than \$500, to which shall be added imprisonment in the county jail not less than ten days nor more than six months.

KERN.

The question being on the adoption of Amendment No. 3.

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bird, Bozeman, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Humphreys, Kern of Marion, Kerns of Vermillion, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, Parker, Schneck, Seller, Shiveley, Watson. Total, 29.

Those voting in the negative were :

Senators Bethell, Boyd, Collett, Cranor, Houghton, Johnston, LaFollette, McManus, Manwaring, Newby, O'Brien, Phares, Rinear, Self, Stuart, Sweeney, Vail, White, Wray. Total, 19.

So the amendment was adopted.

Senator Haggard moved to reconsider the vote by which Amendment No. 3 was adopted.

Those voting in the affirmative were :

Senators Baker, Bethell, Boyd, Cranor, Gostlin, Haggard, Holler, Houghton, LaFollette, McCord, McManus, Manwaring, Mull, Newby, O'Brien, Rinear, Self, Stuart, Sweeney, White, Wray. Total, 21.

Those voting in the negative were :

Senators Alexander, Barnes, Bird, Bozeman, Collett, Duncan, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, Leyden, McCutchan, McDonald, McHugh, McKelvey, McLean, Parker, Phares, Schneek, Seller, Shiveley, Watson. Total, 24.

So the vote was not reconsidered.

Senator LaFollette offered Amendment No. 4, as follows :

MR. PRESIDENT :

I move to amend section 10 of House Bill No. 165, by adding to section 10 as follows :

*Provided*, That this section shall not apply to persons who hold a prescription from a reputable physician for any drugs or medicines, nor to any persons selling the same.

LaFOLLETTE.

The question being on the adoption of Amendment No. 4.

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bird, Bozeman, Collett, Cranor, Crumpacker, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, O'Brien, Parker, Phares, Schneek, Self, Seller, Shiveley, Stuart, Watson, White, Wray, Total, 41.

Senators Newby, Rinear, and Sweeney, voting in the negative.

So the amendment was adopted.

Senator Parker offered Amendment No. 5, as follows :

MR. PRESIDENT :

I move to amend Engrossed House Bill No. 165 by adding to section one (1) thereof the following words, to wit : *Provided*, That no license shall be granted to any other than a male person over the age of twenty-one years, and one who shall at the time be of good moral character : *And, provided, further*, That no such person shall be deemed to be of good moral character if within two years of the time when such application is made he shall have been adjudged guilty the second time of violating any of the provisions of this act.

PARKER.

The question being on the adoption of Amendment No. 5 to House Bill No. 165 :

Those voting in the affirmative were :

Senators Alexander, Bird, Collett, Crumpacker, Duncan, Ellison, Holler, Houghton, Kern of Marion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, Parker, Phares, Schneck, Self, Watson and the President of the Senate. Total, 24.

Those voting in the negative were :

Senators Baker, Barnes, Beck, Bethell, Boyd, Bozeman, Cranor, Gifford, Gostlin, Haggard, Humphreys, Kerns of Vermillion, McManus, Manwaring, Newby, O'Brien, Rinear, Seller, Shiveley, Stuart, Sweeney, White, Wray. Total, 23.

So the amendment was adopted.

The bill was advanced to the third reading.

Senator Duncan moved that the constitutional rule requiring bills to be read on three several days be suspended, that the bill be read the third time now, and put upon its passage.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were :

Senators Baker, Barnes, Beck, Bethell, Bird, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, Leyden, McCord, McHugh, McKelvey, McLean, McManus, Mull, Manwaring, Newby, O'Brien, Phares, Rinear, Schneck, Self, Seller, Shiveley, Vail, Watson, White, Wray, Total, 88.

Those voting in the negative were :

Senators Alexander, Gostlin, Humphreys, Kern of Marion, McCutchan, Parker, Sweeney, Total, 7.

So the constitutional rule was suspended.

The bill was read the third time.

Senator Stuart, who was absent from the Senate Chamber during the last roll call, asked unanimous consent that he be recorded as voting "no" on the suspension of the constitutional rule for the passage of Engrossed House Bill No. 165.

Which consent was given.

Senator Watson demanded the previous question.

The Senate seconded the demand for the previous question.

The question being, Shall the main question be now put?

Those voting in the affirmative were :

Senators Baker, Barnes, Beck, Bethell, Bird, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Phares, Rinear, Schneck, Self, Seller, Shiveley, Vail, Watson, White, Wray. Total, 40.

Those voting in the negative were :

Senators Alexander, Humphreys, Kern of Marion, Leyden, Parker, Stuart, Sweeney. Total, 7.

So the main question was ordered.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Baker, Barnes, Beck, Bethell, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McDonald, McKelvey, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Selt, Seller, Shiveley, Vail, Watson, White, Wray, Total, 39.

Those voting in the negative were :

Senators Alexander, Bird, Humphreys, Johnston, Kern of Marion, Leyden, McHugh, Stuart, Sweeney, Total, 9.

So the bill passed.

Senator O'Brien offered the following substitute for the title of the bill :

MR. PRESIDENT :

I move the following substitute for the title :

A bill for an act to better regulate and restrict the sale of intoxicating, spirituous, vinous and malt liquors, providing penalties for violation of the same, providing for the enforcement thereof, and providing for remonstrances against granting of license for the sale of the same and confining jurisdiction upon Police Courts and Justices of the Peace in cases of violation of the provisions of this act and other laws of the State on the subject of selling intoxicating liquors.

Senator O'Brien's substitute for the title of the bill was adopted and ordered to stand as the title to the act.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 316, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.



**Engrossed House Bill No. 316, entitled :**

An act to amend section 1 of an act entitled "An act to amend sections 39, 42, 45 and 54 of an act entitled an act for the incorporation of insurance companies, defining their powers and prescribing their powers," approved June 17, 1852, approved December 20, 1865, and being section 3746 of the Revised Statutes of 1881.

Read the first time and referred to the Committee on Insurance.

The following message was received from the House :

**MR. PRESIDENT :**

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 96 and 645 and the same are herewith transmitted for the action of the Senate.

**R. A. BROWN,**

Clerk.

**Engrossed House Bill No. 96, entitled :**

An act entitled an act for the prevention of blindness in infants in the State of Indiana, defining the duties of certain persons in certain cases, providing penalties for the violations thereof and declaring an emergency.

Read the first time and referred to the Committee on Public Health, Vital and Other Statistics.

**Engrossed House Bill No. 645, entitled :**

A bill for an act to amend section 63 of an act entitled "An act concerning the incorporation and government of cities having more than thirty-five thousand, and less than forty-nine thousand population, according to the last preceding United States census, and matters connected therewith, and declaring an emergency, approved March 3, 1893, and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

The Committee on Enrolled Bills made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills, to which was referred Senate Enrolled Bills Nos. 195, 213, 269, 327 and 369, begs leave to report that they have compared the enrolled bill with the bills as passed by the Senate and find the same to be correct.

VAIL,  
Chairman.

The President of the Senate submitted the following :

*To the Senate :*

I have signed Senate Enrolled Bills Nos. 195, 213, 269, 327 and 369.

MORTIMER NYE,  
President.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Enrolled Act No. 474, notwithstanding the objections of His Excellency, the Governor, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 344, 42, 548, 521, 86, and Senate Bills Nos. 215, 158, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 344, entitled :

A bill for an act to enlarge the powers of Trustees of incorporated towns in the State of Indiana.

Read the first time and referred to the Committee on Cities and Towns

Engrossed House Bill No. 42, entitled :

An act regulating the transportation of property by railroad companies and other common carriers.

Read the first time and referred to the Committee on Railroads.

Engrossed House Bill No. 521, entitled :

A bill for an act to provide for alumnal representation on board of trustees and other governing bodies of universities, colleges and other educational institutions, and declaring an emergency.

Read the first time and referred to the Committee on Education.

Engrossed House Bill No. 548, entitled :

A bill for an act to amend section 399, and to repeal section 400 and 401 of an act entitled "An act concerning proceedings in civil cases," approved April 7, 1891, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 86, entitled :

A bill for an act providing for the construction and keeping in repair of foot paths, the protection of the same and providing penalties for the violation thereof.

Read the first time and referred to the Committee on Roads.

Engrossed House Bill No. 885 was read the second time.

Senator Duncan moved that the constitutional rule requiring bills to be read on three several days be suspended, the bill be read the third time and put upon its passage.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were :

Senators Alexander, Barnes, Beck, Bird, Boyd, Collett, Cranor, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Johnston, Kern of Marion, Kerns of Vermillion,

**LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart Sweeney, Vail, Watson, White, Wray. Total, 41.**

None voting in the negative.

So the constitutional rule was suspended, the bill was read the third time by sections and put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

**Senators Alexander, Barnes, Beck, Bird, Collett, Cranor, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 41.**

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 583 was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

**Senators Alexander, Barnes, Beck, Bethell, Bird, Boyd, Bozeman, Collett, Cranor, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Kern of Marion, Kerns of Vermillion, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Vail, Watson, White, Wray. Total, 39.**

Those voting in the negative were:

**Senators Johnston, LaFollette, Stuart. Total, 3.**

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The following communications were handed down by the President of the Senate:

I hereby certify that Enrolled Act No. 639, herewith presented to Lieutenant-Governor Nye, is a true, full and correct copy of Engrossed House Bill No. 639, as I verily believe.

R. A. BROWN,  
Clerk of the House of Representatives.

MARCH 7, 1895.

*To the Senate:*

I have signed House Enrolled Act No. 639.

MORTIMER NYE,  
President.

I hereby certify that Enrolled Act No. 132, herewith presented to Lieutenant-Governor Nye, is a true, full and correct copy of Engrossed House Bill No. 132, as I verily believe.

R. A. BROWN,  
Clerk of the House of Representatives.

MARCH 7, 1895.

*To the Senate:*

I have signed House Enrolled Act No. 132.

MORTIMER NYE,  
President.

I hereby certify that Enrolled Act No. 325, herewith presented to Lieutenant-Governor Nye, is a true, full and correct copy of Engrossed House Bill No. 325, as I verily believe.

R. A. BROWN,  
Clerk of the House of Representatives.

MARCH 7, 1895.

*To the Senate:*

I have signed House Enrolled Act No. 325.

MORTIMER NYE,  
President.

Engrossed House Bill No. 230 was read the second time.

Senator Kerns moved that the constitutional rule requiring bills to be read on three several days be suspended, the bill read the third time by sections now and put upon its passage.

The question being upon the suspension of the constitutional rule.

Those voting in the affirmative were:

Senators Alexander, Barnes, Beck, Bethell, Bird, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 44.

None voting in the negative.

So the constitutional rule was suspended and the bill was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boyd, Bozeman, Crumpacker, Ellison, Gifford, Gostlin, Haggard, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, Leyden, McCord, McCutchan, McHugh, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 40.

None voting in the negative:

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 482 was read the second time.

Senator Haggard offered Amendment No. 1, as follows:

MR. PRESIDENT:

Amend section 2 by adding thereto the following:

*“ Provided, That whenever there shall be a credit to said benevolent institution fund, as the result of the taxes in this action provided for, or from any such tax heretofore levied and collected, the Auditor of State is authorized and empowered to charge to such fund and transfer and credit to the general fund any sum or sums that may have been heretofore, or that may hereafter be paid out of the general fund for the use and benefit of said benevolent institutions.”*

Which amendment was adopted.

Senator Haggard moved that the constitutional rule requiring bills to be read on three several days be suspended, the bill read the third time by sections and placed upon its passage now.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were:

Senators Alexander, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Kerns, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, White, Wray. Total, 42.

None voting in the negative.

So the constitutional rule was suspended, the bill read the third time by sections and placed upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Kerns, LaFollette, Leyden, McCord, McCutchan, McHugh, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Sweeney, Vail, Watson, White, Wray. Total, 41.

Senators Johnston and Stuart voting in the negative.

So the bill passed.

Senator Haggard moved to amend the title as follows:

Amend the title by adding the following words after the word "Debt," in line 12: "and the transferring from the benevolent institution fund to the general fund under conditions named."

HAGGARD.

Which motion prevailed and the title as amended was ordered to stand as the title to the act.

The consideration of Senate Bill No. 473, which had been made a special order for this hour, was now taken up.

Senator McLean moved that the constitutional rule requiring bills to be read on three several days be suspended, the bill read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, LaFollette, Leyden, McCord, McCutchan, McDona-ald, McHugh, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Watson, White, Wray. Total, 43.

None voting in the negative.

So the constitutional rule was suspended.



The bill was read the second time by title, considered engrossed and read the third time by sections.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Duncan, Ellison, Gifford, Gostlin, Holler, Houghton, Humphreys, Johnston, Kern of Marion, LaFollette, Leyden, McCord, McCutchan, McHugh, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, White, Wray. Total, 40.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The President of the Senate announced that he had signed House Enrolled Acts 89, 298, 591 and 637.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 578, 567, 860, 648, 137, 616, 187, 171, 327 and Senate Bill No. 898, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 578, entitled:

A bill for an act to amend an act prescribing the duties and powers of common councils of cities in relation to requiring railroad companies to keep and maintain lights at street and railroad crossings in cities and declaring an emergency, approved March 4, 1893, and granting to trustees of incorporated towns the same powers and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

Engrossed House Bill No. 567, entitled :

A bill for an act compelling the owners of business buildings and office buildings to provide and maintain water-closets, in cities of seven thousand population or more, when said city is supplied with a system of water works and defining the penalty for the violation thereof.

Read the first time and referred to the Committee on Cities and Towns.

Engrossed House Bill No. 860, entitled :

A bill for an act to provide for the election and qualification of Justices of the Peace in townships having a population of one hundred thousand (100,000) persons and over, defining their jurisdiction, providing salaries, requiring them to collect the fees thereof, and pay the fees collected to the trustee of the townships in which they shall be elected, and other matters connected therewith, and repealing all laws and parts of laws in conflict therewith.

Read the first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 648, entitled :

An act to amend section 1 of an act entitled an act requiring all persons, companies, corporations, and associations desiring to incorporate under the laws of the State of Indiana, and who are not now required to do so, to file with the Secretary of the State, certified copies or duplicates of their articles of incorporation, and declaring an emergency.

Read the first time and referred to the Committee on Corporations.

Engrossed House Bill No. 187, entitled :

A bill for an act authorizing the reimbursement of James C. Hays, former Trustee of Heth Township, Harrison County, Indiana, for money lost by him by fire.

Read the first time and referred to the Committee on County and Township Affairs.

Engrossed House Bill No. 616, entitled :

A bill for an act appropriating the sum of fifty dollars to the State Geologist to pay for the expenses of preserving and caring for the flags which were captured or carried by the soldiers of Indiana during the wars in which said soldiers have heretofore engaged, and declaring an emergency.

Read the first time and referred to the Committee on Finance.

Engrossed House Bill No. 187, entitled :

A bill for an act amending sections 190 and 191 of an act concerning public offenses and their punishment, approved April 14, 1881, the same being section 2098 of the Revised Statutes of 1881, and declaring an emergency.

Read the first time and referred to the Committee on Temperance.

Engrossed House Bill No. 171, entitled :

A bill for an act prescribing the powers and duties of coroners.

Read the first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 327, entitled :

A bill for an act concerning powers and duties of cities and incorporated towns and their Common Councils and Boards of Trustees and providing the mode and manner of building electric light and power plants and of lighting streets and furnishing light and power and providing for the mode and manner of payment for the costs thereof and declaring an emergency.

Read the first time and referred to the Committee on Cities and Towns.

The Committee on the Affairs of the City of Indianapolis made the following report:

MR. PRESIDENT:

Your Committee on the Affairs of the City of Indianapolis, to which was referred Engrossed House Bill No. 311, have had the same under consideration and begs leave to report the same back to the Senate with the recommendation that the same should pass.

JNO. W. KERN,  
R. F. STUART,  
JAMES McHUGH.

Which report was concurred in.

Senator Kern moved that the constitutional rule requiring bills to be read on three several days be suspended, that the bill be read a second time by title, and a third time by sections and put upon its passage.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were:

Senators Alexander, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Duncan, Ellison, Gostlin, Holler, Houghton, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Watson, White. Total, 39.

None voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title, a third time by sections and put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Bozeman, Cranor, Duncan, Ellison, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White. Total, 40.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 265, which had been made a special order for this hour, was now taken up.

The Committee on the Affairs of the City of Indianapolis made the following reports:

Report No. 1 is as follows:

MR. PRESIDENT:

The undersigned, of your Committee on the Affairs of the City of Indianapolis, to which was referred Engrossed House Bill No. 265, have had the same under consideration and begs leave to report as follows:

That section 1 of said bill be amended by adding thereto the following:

*Provided*, That where there is now a street or alley in any incorporated town adjoining and parallel to a street or alley in any incorporated city, or within five feet of such street or alley, the common council of such city may annex to said city the alley or street in such incorporated town, with any intervening strip of ground not exceeding five feet in width, and the action of such common council shall be final; and such city may order said street to be improved, as other streets are improved in such city, including the alley or street and intervening strip of ground annexed, and the owner of the ground in such incor-

porated town, abutting on such improved street, shall be liable to pay pro rata for such improvements, and the property shall be subject to lien and sale in the same manner and proportion therefor, as the abutting property within the corporate limits of such city.

*Second.* That section 1 be also amended by striking out the words "less than two-thirds," in line 2, of page 6, of the engrossed bill, and inserting in lieu thereof the words "two-thirds or more."

*Third.* By striking out section 3 of said bill.

*Fourth.* That section 4 be amended by striking out line 14 on page 22, and inserting in lieu thereof the words and figures, "four thousand dollars (\$4,000)."

That when so amended such bill should pass.

JNO. W. KERN,  
JAMES McHUGH,  
R. F. STUART.

Report No. 2 is as follows :

MR. PRESIDENT :

The undersigned members of the Committee on the Affairs of the City of Indianapolis, to which was referred Engrossed House Bill No. 265, have had the same under consideration and begs leave to report as follows :

That section 1 be amended by striking out the words "less than two-thirds" in line 2 of page 6 of the engrossed bill, and insert in lieu thereof the words "two thirds or more." That section 4 be amended by striking out line 14 on page 22, and inserting in lieu thereof the words and figures, "four thousand dollars (\$4,000)."

And that after being so amended the bill do pass.

O. N. CRANOR,  
GEO. W. SELF,  
J. W. CRUMPACKER.

Senator Kern moved that Report No. 1 be adopted.

Senator Cranor moved that Report No. 2 be substituted for Report No. 1.

Those voting in the affirmative were :

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Gostlin, Haggard, Holler, Houghton, Kerns, LaFollette, McCord, Mull, Newby, O'Brien, Phares, Self, Shiveley, Sweeney, Vail, Watson, White. Total, 25.

Those voting in the negative were :

Senators Alexander, Beck, Bird, Duncan, Ellison, Humphreys, Johnston, Kern, Leyden, McCutchan, McHugh, McKelvey, McLean, Manwaring, Rinear, Stuart, Wray. Total, 17.

So Report No. 2 was substituted for Report No. 1.

Report No. 2 was then adopted.

Senator Cranor moved that the constitutional rule, requiring bills to be read on three several days, be suspended, the bill read the second time by title, the third time by sections, and placed upon its passage now.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Duncan, Ellison, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern, Kerns, LaFollette, Leyden, McCord, McCutchan, McHugh, McLean, Mull, Newby, Rinear, Schneck, Self, Shiveley, Stuart, Vail, Watson, White. Total, 37.

Senator McKelvey voting in the negative.

So the constitutional rule was suspended, the bill read the second time by title, the third time by sections and placed upon its passage now.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Beck, Bethell, Boord, Boyd, Bozeman, Cranor, Crumpacker, Duncan, Ellison, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern, Kerns, Leyden, McCutchan, McHugh, McKelvey, McLean, Mull, Newby, Phares, Rinear, Schneck, Self, Shiveley, Stuart, Vail, Watson, White, Wray. Total, 35.

Senator Collett voting in the negative.

So the bill passed.

Senator Kern moved to amend the title as follows:

MR. PRESIDENT:

I move to amend the title of Engrossed House Bill No. 265 by striking out the words and the figures, "and one hundred and twenty-five (125)," where the same occurs, and by inserting the word "and" immediately before the words "one hundred and fourteen."

KERN.

Which amendment was adopted.

And the title of the bill as amended was ordered to stand as the title to the act.

The Committee on the Affairs of the City of Indianapolis made the following report:

MR. PRESIDENT:

Your Committee on the Affairs of the City of Indianapolis, to which was referred House Bill No. 266, introduced by Mr. Leedy, begs leave to report the same back to the Senate, with the recommendation that the bill do pass.

R. F. STUART,  
JOHN W. KERN,  
O. N. CRANOR,  
JAMES McHUGH.

Which report was concurred in.

Senator Stuart moved that the constitutional rule requiring bills to be read on three several days be suspended, the bill read the second time by title, and the third time by sections now and placed upon its passage.

The question being upon the suspension of the constitutional rule.

Those voting in the affirmative were:

Senators Baker, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Cranor, Duncan, Ellison, Gostlin, Holler, Houghton, Humphreys, Johnston, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, Newby, O'Brien, Phares, Rinear, Schneck, Self, Shiveley, Stuart, Vail, Watson, White, Wray. Total, 37.



None voting in the negative.

So the constitutional rule was suspended, the bill was read the second time by title, and the third time by sections now and placed upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Duncan, Ellison, Gostlin, Holler, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, Newby, O'Brien, Phares, Rinear, Schneck, Self, Shiveley, Stuart, Vail, Watson, White. Total, 37.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 313 was read a second time.

Senator Stuart moved that the constitutional rule requiring bills to be read on three several days be suspended, and the bill read a third time by sections and put upon its passage.

The question being upon the suspension of the constitutional rule.

Those voting in the affirmative were:

Senators Alexander, Beck, Bethel, Bird, Boord, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gostlin, Haggard, Holler, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, Leyden, McCord, McCutchan, McHugh, McKelvey, McLean, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Self, Stuart, Vail, Watson, White. Total, 35.

None voting in the negative.

So the constitutional rule was suspended, and the bill read a third time by sections and put upon its passage.

The question being shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Beck, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Stuart, Watson, White, Wray. Total, 38.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 536 was read the second time.

Senator Holler moved that the constitutional rule requiring bills to be read on three several days be suspended, and the bill be read a third time by sections now and put upon its passage.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were:

Senators Alexander, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Cranor, Ellison, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McLean, Mull, Newby, O'Brien, Parker, Rinear, Schneck, Self, Stuart, Vail, White, Wray. Total, 34.

None voting in the negative.

So the constitutional rule was suspended, the bill read a third time by sections and placed upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Alexander, Baker, Beck, Bethell, Bird, Boyd, Boze-  
man, Cranor, Ellison, Gostlin, Haggard, Holler, Humphreys,  
Johnston, LaFollette, Leyden, McCord, McCutchan, McDonald,  
McHugh, McKelvey, McLean, Mull, Newby, O'Brien, Parker,  
Phares, Rinear, Schneck, Self, Seller, Shiveley, Vail, Watson,  
White, Wray. Total, 36.

Senator Houghton voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the  
act.

Senator Vail moved a reconsideration of the vote by which  
Engrossed House Bill No. 46 was passed.

Senator O'Brien moved to reject the motion.

Those voting in the affirmative were:

Senators Alexander, Barnes, Beck, Bird, Cranor, Duncan,  
Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Ley-  
den, McDonald, McHugh, McKelvey, McLean, O'Brien, Parker,  
Rinear, Seller, Stuart, Sweeney, Wray, and the President of  
the Senate. Total, 24.

Those voting in the negative were:

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett,  
Crumpacker, Gostlin, Haggard, Holler, Houghton, Kerns of  
Vermillion, LaFollette, McCord, McCutchan, Mull, Phares,  
Schneck, Self, Shiveley, Vail, Watson, White. Total, 23.

So the motion prevailed.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the  
House has passed Senate amendments to House Bill No. 165,  
excepting Senate Amendment No. 9½, upon which disagree-  
ment the House asks for a Committee of Conference, and the  
same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Senator Newby moved that a conference committee of two Senators from the majority be appointed to confer with a like committee from the House on House Bill No. 165.

Which motion prevailed, and Senators Crumpacker and Watson were appointed as such committee.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 526, and Senate Bills Nos. 421, 355, 4, 413, 311, and House Concurrent Resolution No. 11, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 526, entitled :

An act to prevent the manufacture and sale of impure drugs in the State of Indiana, prescribing penalties for the violation thereof.

Read the first time and referred to the Committee on Public Health.

Engrossed House Concurrent Resolution No. 11, as follows :

WHEREAS, The State of Indiana is the owner of a piece of ground, situate on East Washington Street in the city of Indianapolis, lying north of the Institution for the Education of the Deaf and Dumb, consisting of about fifteen acres. Said ground is bounded on the north by Ohio Street; on the east by the first alley lying west of Johnson Avenue; on the south by Washington Street, and on the west by Randolph Street; and

WHEREAS, Said grounds are surrounded by the city of Indianapolis, and there are no drives or passage ways through the same, to the great inconvenience of the citizens of said city, and

WHEREAS, Said ground is not of any practical use to the State of Indiana at this time, and

WHEREAS, The city of Indianapolis, through her Board of Public Works, has asked permission to take charge of said grounds, and to beautify the same and make the same into a public park, without expense to the State of Indiana; therefore be it

*Resolved by the House of Representatives, and the Senate concurring,* That the possession of the grounds lying north of the Institution for the Education of the Deaf and Dumb, situated in the city of Indianapolis, and bounded on the north by Ohio Street; on the east by the first alley west of Johnson Avenue; on the south by Washington Street and on the west by Randolph Street, is hereby turned over to the city of Indianapolis, the same to be beautified and made into a public park by said city without any expense to the said State. The title to said ground is to remain in said State of Indiana, and upon proper demand being made by the Governor upon said city, the possession of the same is to be returned to said State of Indiana without expense to the State for such improvements.

LEEDY.

Read and referred to the Committee on the Affairs of the City of Indianapolis.

Robert S. Hatcher, the Special Commissioner appointed to investigate the matter of the legal status of the State seal of Indiana, submitted his report.

Senator Haggard moved that the report be spread upon the Journal and that it be printed.

Which motion prevailed.

The report is as follows:

REPORT OF THE COMMISSIONER APPOINTED BY SENATE CONCURRENT RESOLUTION No. 20 TO INVESTIGATE THE ORIGIN AND HISTORY OF THE SEAL OF THE STATE OF INDIANA, AND WHETHER SAID STATE HAS ANY LEGALLY AUTHORIZED COAT OF ARMS OR SEAL.

*To the Senate and House of Representatives of the Fifty-ninth General Assembly of the State of Indiana:*

Your Commissioner, to whom was referred Senate Concurrent Resolution No. 20, has had the same under consideration and begs leave to report as follows:

There is no provision in the Constitution and none existing by statute as to what the State arms or seal shall be.

Article IV, section 26, of the Constitution provides: "There shall be a seal of this State which shall be called 'the seal of the State of Indiana.'"

Article XII, section 5, of the Constitution provides: "The Governor shall use his private seal until a State seal be procured."

The first session of the General Assembly passed an act, approved December 13, 1816, providing for a State seal and press, and appropriating one hundred dollars for their purchase.

There exists nothing further, either in the Constitution or the statutes of the State upon this subject, except the Constitutional requirement that all commissions shall be sealed with the seal of the State. The meagre detail of a proposed description of a design for the seal are recorded in the Journal of the first session of the Indiana House of Representatives, a volume so scarce that there is not a copy of it to be found in the office of the Secretary of State, the State Library, the State Law Library, or in any of the archives of the State.

There is nothing to prove that the fragmentary description mentioned in the House Journal of 1816 ever became a part of any law.

The mere minutes of parliamentary proceedings should not be confounded with the enacted and published statutory laws of the State, not one of which laws contains any reference to a description of the seal.

The minutes recorded in the Journals of the Indiana Senate and House of Representatives of 1816, are the only published accounts of discussions concerning the State seal, which took place at the first session of the General Assembly.

The following extracts on this subject are taken from the Journal of the Senate for 1816.

Page 21.

Nov. 14. "A message from the House of Representatives, by Mr. Floyd:

“Mr. President, the House of Representatives have passed a bill entitled an act for providing a public seal and press, and request the concurrence of the Senate thereto.”

“The said bill was taken up and read the first time at the Secretary’s table, and on motion ordered to be read the second time on to-morrow.”

Page 22.

Nov. 15. “The bill from the House of Representatives, entitled an act for providing a public seal and press, was taken up and read the second time, ordered to be committed to a committee of the whole House, and made the order of the day for to morrow.”

(This bill was not taken up Nov. 16.)

Page 23.

Nov. 18. “Senate resolved itself into a committee of the whole House, on the bill from the House of Representatives, entitled an act providing a public seal and press, and after some time spent therein, Mr. President resumed the chair, and Mr. Polke reported that the committee had, according to order, had the said bill under consideration and made some progress therein, and had directed him to ask leave to sit again.

Ordered that the committee of the whole house have leave to sit again on the said bill.

Page 25.

Nov. 20. The Senate again resolved itself into a committee of the whole house, on the bill from the House of Representatives, entitled an act for providing a public seal and press, and after some time spent therein Mr. President resumed the chair, and Mr. Pennington reported that the committee had, according to order, had the said bill under consideration, had made several amendments therein, and was directed to desire the concurrence of the house, and handed the same in at the Secretary’s table, where they were again read and concurred in by the Senate. The said bill was then read the third time, as amended, and passed.

Ordered, that Mr. Polke inform the House of Representatives thereof, and desire their concurrence therein

Pages 29 and 30.

Nov. 25. Message from the House of Representatives that the House had concurred in the amendments made by the Senate to the bill, with an amendment thereto. Senate then proceeded to consider amendment made in the House of Representatives to the amendment made by the Senate to the bill from the House of Representatives entitled an act for providing a public seal and press, and on the question for concurrence, it was decided in the negative.

"Ordered that Mr. Polke inform the House of Representatives thereof."

Page 32.

November 27. "A message from the House of Representatives, to the effect that the House insists upon the amendment made to the amendment of the Senate, and desire a committee of conference thereon, and have on their part appointed Messrs. Floyd and Wilson to act with the committee that may be appointed on the part of the Senate.

"The Senate proceeded to consider the message from the House of Representatives, insisting upon the amendment made to the amendment of the Senate to the bill entitled an act for providing a public seal and press, from the House of Representatives, and desiring a committee of conference thereon. Whereupon

"*Resolved*, That the Senate insist upon their disagreement, and agree to the conference requested by the House of Representatives, upon the subject matter thereof, and that Messrs. DePauw and Paul be appointed as said conference committee on the part of the Senate.

"Mr. DePauw ordered to inform the House of Representatives."

Pages 33 and 34.

November 28. "Mr. DePauw, on the part of the Senate Conference Committee, reported that the Senate committee had receded from the amendments made to the said bill in the Senate.



"The Senate then concurred in the report, and so informed the House of Representatives.

"A message from the House of Representatives, by Mr. Wilson:

"Mr. President, the House of Representatives have concurred in the report of the Conference Committee on the bill providing for a public seal and press."

Page 42.

December 9. "A message from the House of Representatives, that the Speaker of the House of Representatives had signed and enrolled the bill entitled an act providing for a public seal and press, when Mr. President signed the same.

"Ordered that Mr. Ferris inform the House of Representatives thereof."

Page 47.

December 18. "Mr. Ferris, from the Joint Committee for Enrolled Bills, reported that the Committee had on yesterday laid before the Governor, for his approval and signature, an enrolled bill entitled an act providing for a public seal and press."

Page 49.

December 14. "A message from the House of Representatives by Mr. Gunn:

"Mr. President, the Governor has notified the House of Representatives, that he did yesterday approve and sign an enrolled bill entitled an act providing for a public seal and press."

The above mentioned act provides:

"That the Governor of this State be and he is hereby authorized to provide a seal, and also a press for the said State; and that a sum not exceeding one hundred dollars be and is hereby appropriated for that purpose, to be paid out of any moneys in the treasury not otherwise appropriated."

The following extracts relating to the State seal are taken from the Journal of the House of Representative for 1816 :

Page 9.

November 7. "On motion of Mr. Ferguson,

"*Resolved*, That a committee be appointed, to consist of three members, to enquire into the expediency of providing a public seal and press, and make a report thereof, and Messrs. Ferguson, Zenor and Johnson were appointed on that committee."

Page 12.

November 8. "Mr. Ferguson, from the committee appointed to enquire into the expediency of providing a public seal and press, reported by bill, which was read for the first time, and on motion ordered that the same be read a second time to-morrow."

Page 23.

November 14. "The bill providing for a public seal was taken up and read a third time, and on the question, Shall this bill pass? it was decided in the affirmative."

Page 31.

November 20. "A message from the Senate by Mr. Polke:

"MR. SPEAKER :

"I am directed by the Senate to inform this House that the Senate has passed the bill from this House, providing for a public seal and press with some amendments, to which they desire the concurrence of this House."

Pages 35 and 36.

November 22. "The amendment made by the Senate to the bill entitled an act providing a public seal and press, was taken up and read, and on motion of Mr. Floyd, ordered that the same be amended by striking out from the word 'devise' to the conclusion, and inserting in lieu thereof the following words : 'A forest and a woodman felling a tree, a buffalo leaving the forest and fleeing through the plain to a distant forest, and the sun setting in the west, with the word "Indiana."' Ordered that the Senate be informed thereof."

November 28. "A message from the Senate by Mr. De-Pauw :

"MR. SPEAKER :

"I am directed by the Senate to inform this House that the Senate has concurred in the report of the committee of conference on the disagreement between the two houses on the bill providing a public seal and press."

As will be seen by the above mentioned record of the minutes of the House of 1816, an amendment was offered to a bill striking out from the word "device" to the conclusion, but mention of the bill itself which was thus amended is nowhere to be found either in the Senate or House Journals of 1816, or of any of the subsequent sessions, and it is probable that no record of the bill now exists.

The failure to publish this bill was perhaps due to the negligence of the party having in charge the printing of the proceedings of the first session; or a motive may have existed for withholding it from the printer, as a thorough search made by Hon. Myron D. King (Private Secretary to Governor Matthews), who has given this subject much attention, reveals the fact that every enrolled bill of the first session is on file in the office of the Secretary of State, with the one exception of the above noted bill.

After searching through the laws of this State and among the State archives, with the earnest co-operation of State officers, both in the executive department and in the office of the Secretary of State, I fail to find that any laws describing, adopting or legalizing any device as the arms or seal of Indiana, have ever been enacted and approved since the organization of the State government, nearly eighty years ago.

The general design of the device now used as the seal of Indiana (of which the woodman and buffalo are the chief features), is a legacy from territorial days, and has been in use for nearly a century. The design was probably legally authorized by one of the General Assemblies of the Territory of Indiana, although an exhaustive search through the acts of the Territorial legislature and files of newspapers of the Territorial

period, fails to prove this. The earliest imprints of it, so far as known, are found upon court documents signed by Harrison and Vanderburg, issued early in January, 1801, the first year of the legal organization of Indiana Territory, the nominal having taken place in 1800. Some of these original documents, which are now in possession of Hon. W. H. English, bear distinct impressions of the seal, with a crude representation of a buffalo—side view—facing to the left, with tail down, with the setting sun back of the buffalo. The inscription, "Indiana Ter." is on a scroll at the top. There were two seals in use in the Territory in 1801, as certain commissions of civil officers issued in that year exist, with the same design as above mentioned, but with only the word "Indiana" in the foliage of the trees. The former seal I find upon documents as late as 1808.

A petition in favor of slavery, signed by Gen. William Henry Harrison, and sent by the Vincennes Convention of 1802 to the Congress of the United States, is preserved in the archives of the National House of Representatives, and bears upon it the impress of one of these seals.

It seems to be the concensus of opinion that inasmuch as the general characteristics of the original seal have for nearly a century represented the dignity and authority of Indiana, both as a Territory and a State, and dates from the days of Governors Posey and Jennings down to the administration of Governor Matthews, the essential features of the old design should be preserved. Indiana has never adopted a motto to accompany its official emblem of sovereignty, and as the inhabitants of this State have for generations been conspicuous for their consistent loyalty to the Republic, first at the capture of Vincennes, while under the Dominion of Virginia, which occurred three years after the establishment of the Republic; then in the severe campaigns against the Indians, conducted in the last decade of the past century by Gen. St. Clair, while Governor of the Territory of the Northwest; again at the battle of Tippecanoe, during the existence of the Indiana Territory; in the war of 1812; in the Black Hawk war of 1832, and in the war with Mexico, as well as in the war of the rebellion, during which our State was second to none in prominence and valor, I would respectfully suggest to the General

Assembly of Indiana that this State, agreeable to a custom prevalent among the American commonwealths, adopt as a motto indicative of Indiana's unswerving fidelity to the National Government the word "Loyalty."

The above suggestion was brought to the attention of the Indiana Society of the Sons of the American Revolution, at their annual meeting held in Indianapolis on February 25, 1895, the anniversary of the capture of Post Vincennes by General George Rogers Clarke, and was endorsed by this society with an unanimous vote, with the request that said endorsement be incorporated into this report to the General Assembly.

Owing to the want of a specific description of the seal, there is necessarily a lack of uniformity of design in the seal of the State.

In some of the executive offices the seal is used, with the buffalo represented as going to the left, in others to the right, while in others it is shown in full face.

Seals are in use both with and without the setting sun.

The woodman is found in many different locations, both behind and in front of, and on either side of the buffalo.

In addition to the inconsistencies mentioned, the present seal of State is of inferior and inartistic workmanship, and impressions taken from it are indistinct.

In view of the above facts I respectfully suggest that a law be enacted, describing the arms of the State, and providing for their use upon a new Seal of State, to be engraved in the best possible manner upon steel by an artist of recognized ability in such work; the design to conform as far as the requirements of art will permit, with the original device as adopted in 1801, adding at the top of the design the motto: "Loyalty."

R. S. HATCHER,  
Commissioner.

Indianapolis, March 8, 1895.

Senator Haggard moved that when the Senate adjourns it adjourn to meet at 8 o'clock to-night.

Which motion prevailed.

The Committee on Organization of Courts made the following reports:

MR. PRESIDENT:

A majority of your Committee on Organization of Courts, to which was referred House Bill No. 624, introduced by Mr. Robinson, beg leave to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

CHAS. E. SHIVELEY,  
FRED. BOORD,  
ISAAC H. PHARES,  
R. F. STUART.

MR. PRESIDENT:

A minority of your Committee on Organization of Courts, to which was referred House bill No. 624, introduced by Mr. Robinson, begs leave to report the same back to the Senate with the recommendation that the same do pass.

H. Q. HOUGHTON,  
T. E. ELLISON.

Senator Leyden moved to reject the minority report.

Those voting in the affirmative were:

Senators Alexander, Bird, Boord, Boyd, Crumpacker, Gifford, Gostlin, Haggard, Holler, Humphreys, Kerns, LaFollette, Leyden, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, O'Brien, Parker, Phares, Self, Vail, Watson, Total, 25.

Those voting in the negative were:

Senators Duncan, Ellison, Houghton, Johnston, McCord, Rinear, Schneck, Stuart, Sweeney, White, Wray. Total, 11.

So the minority report was rejected.

The majority report was then adopted.

*To the Senate:*

I have signed House Enrolled Act No. 46.

MORTIMER NYE,  
President.

The following message was received from the Governor:

MR. PRESIDENT:

I am directed by the Governor to return to the Senate Enrolled Senate Bill No. 119, the same being an act providing for the relocation of county seats without his approval and his objections thereto for the consideration of the Senate.

Respectfully,

MYRON D. KING,

Private Secretary.

EXECUTIVE DEPARTMENT, }  
INDIANAPOLIS, IND. }

*To the Senate of the State of Indiana, Hon. Mortimer Nye, President:*

Senate Bill No. 119, providing for the relocation of county seats is herewith returned without my approval.

Section 5 of this bill provides that certain officers may vote, at the special election ordered, in precincts other than that in which they reside. This election to be held is a general election as to the county, and is to be as stated in this same section, "conducted according to the law in force governing general elections held in the State." I do not believe the Legislature can change the qualification of a voter as fixed by the Constitution. To say that certain officers or voters, may vote in other precincts than that in which they reside is in violation of section 2 of article 2 of the Constitution of the State.

Again, section 17 of this bill provides for the levy of a special tax on the property of the township alone to which the relocation of the county seat has been ordered; for the entire cost of building and erecting the new court house and jail.

Section 1 of article 10 of the Constitution of the State declares for "a uniform and equal rate of assessment and taxation." The court house and jail are to be erected on real estate, the title to which is vested in the Board of Commissioners of the county, will be the property of the county, used for county purposes and a tax levied for such purposes must be uniform and equal throughout the county. Serious doubts could arise as to the legality or validity of bonds authorized to be issued by a Township Trustee for such purpose and upon

such special law. Besides these objections, serious injustice might result to certain citizens in their property rights. Where county seats have been long established, where citizens for years have accepted its location as a permanent and settled condition and property rights acquired in homes or for other purposes, it could be dangerous and unjust to disturb or unsettle these conditions. It is easy to conceive of a county seat located for years and unquestioned in the geographical center of a county, and in an agricultural community, which, through the necessity of their occupation is sparsely settled, and unable in numbers to contend with more populous communities springing up at a later day in some other part of the county. Common justice would demand that the rights of the farmer on his farm, or the citizen in the community weaker in numbers should have full protection under the law against the invasion of his rights by force of numbers in more populous communities, and especially if the fact of a county seat should have influenced the citizen in locating his home and establishing his interests in such locality.

CLAUDE MATTHEWS,  
Governor.

Senator Newby made the following motion :

MR. PRESIDENT :

I move that the message of the Governor vetoing Senate Bill No. 119 be received and his objection to said bill be entered at large upon the Journal of the Senate, and that the Senate do now proceed to the consideration of said Senate Bill No. 119, and that said bill do pass notwithstanding the objection of the Governor, and upon which motion I demand the previous question.

NEWBY.

The Senate seconded the motion for the previous question.

The question being, Shall the main question be now put?

Those voting in the affirmative were :

Senators Baker, Beck, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, Leyden,



McCord, McCutchan, McDonald, McKelvey, McLean, Mull, Newby, O'Brien, Phares, Schneck, Self, Vail, Watson, White. Total, 32.

Those voting in the negative were :

Senators Alexander, Gifford, Humphreys, Johnston, Kern of Marion, McHugh, Parker, Rinear, Seller, Sweeney, Wray. Total, 11.

So the main question was ordered put.

The question being, Shall the bill pass notwithstanding the objections of the Governor thereto ?

Those voting in the affirmative were :

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, Leyden, McCord, McCutchan, Mull, Newby, O'Brien, Phares, Schneck, Self, Vail, Watson, White. Total, 27.

Those voting in the negative were :

Senators Alexander, Barnes, Beck, Bird, Gifford, Humphrey, Johnston, Kern of Marion, LaFollette, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Sweeney, Wray. Total, 19.

So the bill passed, notwithstanding the objections of the Governor thereto.

The following message was received from the Governor :

MR. PRESIDENT :

I am directed by the Governor to return to the Senate Enrolled Senate Bill No. 26, the same being an act providing for a Metropolitan Police Force in all cities containing not less than 6,000 inhabitants and other matters connected therewith.

Respectfully,

MYRON D. KING,

Private Secretary.

EXECUTIVE DEPARTMENT, }  
 INDIANAPOLIS, IND. }

*To the Senate of the State of Indiana, Hon. Mortimer Nye,  
 President :*

The purpose of the law creating Boards of Metropolitan Police Commissioners, which this Senate Bill No. 26 would repeal, was to remove the control of police affairs from City Councils, overburdened with other municipal matters, and away from local political influences, thereby hoping to secure better conditions in the police systems of the cities to which it applied. This has been so manifestly the effect, and has given such eminent satisfaction to the cities adopting it, as evidenced by the emphatic protests of responsible citizens against the present bill, that I am constrained to believe the public interest would not be best subserved by changing present conditions. There can be strong argument produced in favor of lodging the appointment of Police Commissioners in the Mayor of the city, but, in doing this, the present bill should be amended, before becoming a law.

The bill provides that cities with the minimum population of 6,000, shall have the same Boards of Commissioners as other cities several times larger. Thus a city of 6,000 inhabitants, with a police force of six, will be burdened with the same number of commissioners and officers as cities with a force of forty men.

It is also objectionable that the more onerous duties of Commissioners in larger cities may not receive a greater compensation, in fact might receive less, according to the will of the Mayor, than allowed to these same officials in smaller cities with lighter duties to perform.

The provision in section two, that officers and patrolmen are to be appointed between the two leading political parties of the city, has been repeatedly decided by our Supreme Court to be unconstitutional, in that it disqualifies citizens from holding public offices, who may not belong to one or the other leading political parties. Besides, it is clearly contradictory of the provisions of section one, which provides that the Commissioners upon assuming the duties of their office shall subscribe

to an oath that they shall in no case, and under no pretext appoint or remove any policeman, officers or other person because of any political feeling held by them. These inconsistencies should be remedied. Serious objections could also be urged against one of the members of the Board becoming Secretary or Property Clerk.

On account of the above reasons or objections, I return Senate Bill No. 26 to the General Assembly without my approval.

CLAUDE MATTHEWS,  
Governor.

Senator Newby offered the following :

MR. PRESIDENT :

I move that the message of the Governor vetoing Senate Bill No. 26 be received, and his objection to said bill be entered at large upon the Journal of the Senate, and that the Senate do now proceed to the consideration of said Senate Bill No. 26, and that said bill do pass notwithstanding the objection of the Governor, and upon which motion I demand the previous question.

NEWBY.

The demand for the previous question was seconded by the Senate.

The question being, Shall the main question be now put ?

Those voting in the affirmative were :

Senator Baker, Bethell, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White. Total, 24.

Those voting in the negative were :

Senators Alexander, Barnes, Beck, Bird, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Sweeney, Wray. Total, 20.

So the main question was ordered.

The question being, Shall the bill pass, notwithstanding the objections of the Governor thereto.

Those voting in the affirmative were :

Senators Baker, Bethell, Bozeman, Collett, Cranor, Crum-  
packer, Duncan, Gostlin, Haggard, Houghton, Kerns of Ver-  
million, LaFollette, McCord, McCutchan, Mull, Newby, O'Brien,  
Phares, Schneck, Self, Shiveley, Vail, Watson, White  
Total, 24.

Those voting in the negative were :

Senators Alexander, Barnes, Beck, Bird, Ellison, Gifford,  
Humphreys, Johnston, Kern of Marion, Leyden, McDonald,  
McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart,  
Sweeney, Wray. Total, 20.

So the bill failed to pass over the veto of the Governor for  
want of a constitutional majority.

The Committee on Judiciary made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred En-  
grossed House Bill No. 548, has had the same under considera-  
tion, and begs leave to report in favor of its passage.

L. P. NEWBY,  
Chairman.

Which report was concurred in.

Senator Kern moved that the constitutional rule requiring  
bills to be read on three several days be suspended, that the  
bill be read the second time by title, the third time by sections  
and put upon its passage.

The question being on the suspension of the constitutional  
rule.

Those voting in the affirmative were :

Senators Alexander, Baker, Beck, Bird, Boord, Boyd, Cra-  
nor, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler,  
Houghton, Humphreys, Kern of Marion, Kerns of Vermillion,  
LaFollette, Leyden, McCord, McCutchan, McHugh, McKelvey,  
McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear,  
Schneck, Self, Seller, Stuart, Watson, White, Wray, Total, 37.

None voting in the negative.

So the constitutional rule was suspended, the bill read a second time by title and a third time by sections.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Baker, Beck, Bird, Boord, Boyd, Collett, Cranor, Duncan, Ellison, Gifford, Gostlin, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McDonald, McHugh, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Self, Stuart, Sweeney, Vail, Watson, White, Wray, Total, 38.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The Committee on Enrolled Bills made the following report :

**MR. PRESIDENT :**

Your Committee on Enrolled Bills, to which was referred Senate Enrolled Bill No. 393, introduced by Senator McLean, begs leave to report that they have compared the enrolled bill with the bill as passed by the Senate, and find the same to be correct.

VAIL,  
Chairman.

*To the Senate :*

I have signed Senate Enrolled Bill No. 393.

MORTIMER NYE,  
President.

The Committee on Enrolled Bills made the following report :

**MR. PRESIDENT :**

Your Committee on Enrolled Bills, to which was referred Senate Enrolled Bills Nos. 158 and 215, begs leave to report that they have compared the enrolled bills with the bills as passed by the Senate, and find the same to be correct.

VAIL,  
Chairman.

The President of the Senate announced that he had signed Senate Enrolled Acts Nos. 158 and 215.

*To the Senate:*

I have signed House Enrolled Acts Nos. 89, 298, 591 and 687.

MORTIMER NYE,  
President of Senate.

On motion of Senator McCutchan the Senate adjourned.

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## FRIDAY EVENING.

MARCH 8, 1895.

The Senate re-convened at 8 o'clock, with the Lieutenant-Governor in the chair.

The Committee on Enrolled Bills made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate Enrolled Bills Nos. 4, 355, 421 and 418, introduced by Senators Stuart, Seller, Kern and Self respectively, begs leave to report that they have compared the enrolled bills with the bills as passed by the Senate and find the same to be correct.

VAIL,  
Chairman.

The President of the Senate made the following report:

*To the Senate:*

I have signed Senate Bills No. 4, 355, 421 and 418.

MORTIMER NYE,  
President.

Senator Haggard offered the following amendment to the Senate Rules.

MR. PRESIDENT :

I move to amend Senate Rule No. 49 by striking out the following words therefrom : " except the rule limiting the time of speaking."

HAGGARD.

Read and referred to the Committee on Rules.

Senator Haggard moved that the Senate go into the Committee of the Whole Senate for the consideration of Engrossed House Bill No. 588, and that the committee report to the Senate at the opening of to-morrow's session.

Which motion prevailed.

The Senate then adjourned to go into the Committee of the Whole.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.

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## SATURDAY MORNING.

MARCH 9, 1895.

The Senate met, pursuant to adjournment, with the Lieutenant-Governor in the chair.

The Senate was opened with prayer by Rev. J. A. Sargent, pastor of Hall Place M. E. Church, Indianapolis.

After the reading of a portion of the Journal, on motion of Senator Boyd, the further reading of the same was dispensed with.

Senator Duncan offered the following resolution :

WHEREAS, The present law governing the common school system of the State of Indiana was originally enacted in 1865, and since then has had many additions thereto by way of amendments, and many sections of the same from time to time repealed, leaving the law at this time, in many particulars, contradictory, uncertain and unsatisfactory ; and,

WHEREAS, It is deemed best, for the interests of education, that the same be revised and codified ; and,

WHEREAS, There is not now sufficient time to complete said work in a manner satisfactory during the present session of the Legislature ; therefore, be it

*Resolved*, That the President of the Senate appoint a committee of three Senators, whose term of office shall not expire until after the next session, to revise and codify the laws governing the common school system of the State of Indiana and report the same at the next session by bill, and that they be authorized to sit during vacation.

DUNCAN.

The resolution was adopted.

Senator Cranor moved that the Senate now resolve itself into the committee of the whole Senate, with Senator Parker in the chair, for the further consideration of Engrossed House Bill No. 588.

Which motion prevailed.

The Committee on Enrolled Bills made the following report :  
MR. PRESIDENT :

Your Committee on Enrolled Bills, to which was referred Senate Enrolled Bills Nos. 352, 337, 331, 311, 181, 38, 399, 276 and 350, introduced by Senators Gifford, Wray, McLean, Newby, Shiveley, Sellers, McDonald, LaFollette and Barnes respectively, begs leave to report that they have compared the enrolled bills with the bills as passed by the Senate and find the same to be correct.

VAIL,  
Chairman.



The President of the Senate made the following report :

*To the Senate :*

I have signed Senate Enrolled Acts Nos. 352, 337, 331, 311, 181, 38, 399, 276 and 350.

MORTIMER NYE,  
President.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Enrolled Act No. 119, notwithstanding the objections of the Governor, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

The following message was received from the Governor :

INDIANAPOLIS, March 9, 1895.

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has signed Enrolled Senate Bill, No. 186, an act concerning highways; Senate Bill No. 215, an act in relation to claim of Timothy T. Sheehan; Senate Bill No. 238, an act providing for changes of venue from Justice of the Peace; Senate Bill 269, an act in relation to construction and repairing of bridges; Senate Bill No. 292, an act fixing number of Trustees of the Purdue University; Senate Bill No. 359, an act to regulate the incorporation of banks of discount and deposit, and Senate Bill No. 393, an act to authorize street railway companies to supply electricity and steam for light, heat and power.

Respectfully,

MYRON D. KING,  
Private Secretary.

The following message was received from the Governor :

INDIANAPOLIS, IND., March 9, 1895.

MR. PRESIDENT :

By the direction of the Governor I hereby inform the Senate that he has signed Enrolled Senate Bills Nos. 4, an act to fix the salary of coroners of certain population ; Senate Bill No. 15, an act for the relief of Joel S. Davis ; Senate Bill No. 195, an act appropriating \$1,419 for the benefit of Robert T. Overman ; Senate Bill No. 359, an act concerning sewer improvements in certain cities ; and Senate Bill No. 413, an act fixing the time of holding court in the Third Judicial Circuit.

Respectfully,

MYRON D. KING,

Private Secretary.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bills Nos. 331, 38, 465, 337, 181, 352, 276, 399, 311, 444, 350 and House Bills Nos. 517, 569, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,

Clerk.

Engrossed House Bill No. 517, entitled :

An act concerning the drainage of wet and overflowed lands, and for the cancellation of liens on lands assessed therefor, and repealing all laws in conflict therewith and declaring an emergency.

Read the first time and referred to the Committee on Swamp Lands and Drains.

Engrossed House Bill No. 569, entitled :

A bill for an act to provide for the building of flood gates in ditches having an outlet in water courses and which drain overflowed lands, and declaring an emergency.

Read the first time and referred to the Committee on Swamp Lands and Drains.

Engrossed House Amendment to Senate Bill No. 444, as follows:

MR. SPEAKER:

I move to amend the title of Senate Bill No. 444 by adding the words "and declaring an emergency," after the figures 1889, in line 5.

STOTSENBURG.

Senator Houghton moved that the House amendment to Senate Bill No. 444 be concurred in.

Those voting in the affirmative were:

Senators Alexander, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Holler, Houghton, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McHugh, McKelvey, McLean, Mull, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, White, Wray. Total, 40.

None voting in the negative.

So the amendment was concurred in.

The following message was received from the Governor:

MR. PRESIDENT:

By the direction of the Governor I hereby return to the Senate Enrolled Senate Bill No. 158, an act concerning the office of county assessors, without his approval, and his objections thereto for the consideration of the Senate.

Respectfully,

MYRON D. KING,

Private Secretary.

Said veto message is as follows:

*To the Senate of the State of Indiana,*

*Hon. Mortimer Nye, President:*

I herewith return Senate Bill No. 158, with the following objections: This bill will seriously effect the usefulness, almost practically abolish, the office of county assessor. This office has been a very necessary part in carrying out and making effective the provisions of our tax law, and his services can not well be dispensed with. His time is fully occupied during the

first four months, March 14 to July 20, of the taxing year, in supervising assessments by township assessors of real and personal property and inspecting all lists returned by them, together with his duties as Chairman of the County Board of Review. His compensation or salary should not depend wholly upon the amount of omitted property he may be able to place on the duplicate, as required by section three of this bill. Any measure changing or conflicting with our present admirable and equitable tax laws should be most carefully considered. This bill would interfere and conflict with the provisions of House Bill No. 341, enacted this present session.

CLAUDE MATTHEWS,  
Governor.

Senator Newby made the following motion :

MR. PRESIDENT :

I move that the message of the Governor, vetoing Senate Bill No. 158, be received and his objection to said bill be entered at large on the Journal of the Senate, and that the Senate do now proceed to the consideration of said Senate Bill No. 158, and that said bill do pass notwithstanding the objection of the Governor.

NEWBY.

Which motion prevailed.

The question being, Shall Senate Enrolled Act No. 158 be passed notwithstanding the objections of the Governor thereto?

Those voting in the affirmative were :

Senators Baker, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, Mull, Newby, O'Brien, Phares, Schneck, Self, Seller, Shiveley, Vail, Watson, White. Total, 29.

Those voting in the negative were :

Senators Alexander, Barnes, Beck, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McLean, Parker, Rinear, Stuart, Sweeney, Wray. Total, 17.

So the bill passed notwithstanding the objections of the Governor thereto.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Enrolled House Act 622, notwithstanding the objections of the Governor, and the same with the Governor's veto message, is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

The following is the Governor's veto to House Bill No. 622.

EXECUTIVE DEPARTMENT, }  
INDIANAPOLIS, IND. }

*To the House of Representatives of the State of Indiana, Hon.  
Justus C. Adams, Speaker:*

House Bill No. 622, providing for the redistricting the State for Congressional purposes, is herewith returned unapproved.

The same objections presented in returning to you House Bill No. 157, concerning legislative apportionment will apply in every particular to this bill.

Believing the means adopted to secure the purpose of this bill to be wrong; that now is not the time to perform this act, and clearly in violation of the Constitution of the State, you should hesitate before passing the bill.

CLAUDE MATTHEWS,  
Governor.

Senator Newby made the following motion:

MR. PRESIDENT:

I move that the message of the Governor vetoing House Bill No. 622 be received, and his objection to said bill be entered at length upon the Journal of the Senate, and that the Senate do now proceed to the consideration of said House Bill No. 622, and that said bill do pass, notwithstanding the objections of the Governor, and upon which motion I demand the previous question.

NEWBY.

The demand for the previous question was seconded by the Senate.

The question being, Shall the main question be now put?

Those voting in the affirmative were :

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White. Total, 27.

Those voting in the negative were :

Senators Alexander, Barnes, Beck, Bird, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Sweeney, Wray. Total, 20.

So the main question was ordered.

The question being, Shall the bill pass notwithstanding the objections of the Governor thereto?

Those voting in the affirmative were :

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White. Total, 26.

Those voting in the negative were :

Senators Alexander, Barnes, Beck, Bird, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, McDonald, McHugh, McKelvey, McLean, Parker, Rinear, Seller, Stuart, Sweeney, Wray. Total, 19.

So the bill passed notwithstanding the objections of the Governor thereto.

Senator Parker, Chairman of the Committee of the Whole Senate, made the following report :

MR. PRESIDENT :

I am directed by the Committee of the Whole Senate to inform the Senate that the committee has had under consideration Engrossed House Bill No. 588 and recommend that it be amended as follows :

Amend by striking out of line 25 of the printed bill the words "fifteen hundred dollars," and inserting in lieu thereof the words "two hundred and fifty dollars" for the months of November and December, 1895, fifteen hundred dollars for the ten months from January to October, 1896, inclusive, and eighteen hundred dollars for the fiscal year ending October 31, 1897.

Amend by striking out in line 26 the words "eight hundred dollars" and inserting in lieu thereof the words, "one hundred and sixty-six dollars for November and December, 1895, eight hundred and thirty-three dollars for the ten months from January to October, 1896, inclusive, and one thousand dollars for the year ending October 31, 1897."

Amend section 2, lines 80 and 81, by striking out the words, "seven hundred and twenty," and insert "one thousand dollars."

Amend by changing the date in line 78 of the printed bill from "1897" to "1896" and in line 79 from "1896" to "1897."

Amend by striking out the following part of item 7 of section two (2) all that part of said item, after the word "dollars" in line 100, to wit, the words, "*Provided*, That the salary of the second assistant librarian shall be nine hundred dollars per annum."

Amend item eight by adding at the end of line 106 the following: "there be appropriated the sum of one thousand dollars per year, beginning January 18, 1895, to enable the Reporter of the Supreme Court to publish the Supreme and Appellate reports according to law."

Amend by striking out of line 106 the word "two" and inserting in lieu thereof the word "five."

Amend by inserting after the word "dollars" in line 131, of item ten, the following: "specific for the purchase and placing of new cases in the State Museum, one thousand dollars."

Amend by striking out of the printed bill in line 142 the words "one thousand" and inserting "fifteen hundred."

Amend by striking out the word "nine" in line 172 and in lieu thereof insert "twelve."

Amend item<sup>\*</sup> 14 at line 170 by striking out thereof the words "court, one hundred," and by inserting in lieu thereof the words "and appellate courts, seven hundred and fifty."

Amend by striking out all of item fourteen up to and including the word "dollars" in line 169 of the printed bill, and to insert in lieu thereof the following: "For the salaries of the Judges of the Supreme Court, which shall be four thousand five hundred dollars each annually; twenty-two thousand five hundred dollars. For the additional salaries of the Judges of the Supreme Court to October 31, 1895, at three hundred and thirty-four dollars each, sixteen hundred and seventy dollars."

Amend by striking out of line 181 thereof the words "at thirty-five hundred" and inserting in lieu thereof the words "thirty-seven hundred and fifty," and by striking out of line 182 the words "seventeen thousand five hundred," and inserting in lieu thereof the words "eighteen thousand seven hundred and fifty," and by adding after the word "dollars" in line 182, the words "For the additional salaries of the Judges of the Appellate Court to October 31, 1895, at one hundred and sixty seven dollars each, eight hundred and eighty-five dollars."

Amend by inserting after the word "dollars" in line 172 of the printed bill, the words to be paid only on order of the Supreme Court.

Amend by striking out the words "actual expenses," in line 187, page 7, item 15, section 2, inserting in lieu thereof the word "mileage."

Amend item sixteen by striking out of lines Nos. 190 and 191, the words "two hundred and thirty-four thousand," and substituting in lieu thereof the words "two hundred and fifty thousand."

Amend item sixteenth, section 2, in line 195, by striking out the word "beginning" and insert in lieu thereof the word "ending."

Amend item sixteen, lines 198 and 199, by striking out the words "ninety thousand" and insert in lieu thereof "ninety-five thousand."



Amend by striking out the word "ninety" in line 204 of the printed bill, and inserting the words "one hundred" in lieu thereof.

Amend by inserting after the word "dollars," in line 226, the following: "Two thousand dollars (\$2,000) for the work shops, the receipts from sales of articles made to be paid into the State Treasury to the credit of the maintenance fund of the Institution."

Amend item sixteen (16), line 233, by striking out the words "fifty-four thousand," and inserting in lieu thereof the words "fifty-seven thousand."

Amend by striking out the word "thereon," in line 240, in section 2, item sixteenth.

Amend by striking out the words "and trustees," in line 240 in such item.

Amend by striking out of line 239, of section 2, item 16, the word "seventy," and insert in lieu thereof the word "seventy-five."

Amend item six (6) of section 2, by inserting after the word "dollars," line 254, the following :

Six thousand (6,000) dollars to purchase a farm for the use of said Indiana Soldiers and Sailors Orphans' Home, provided that no more than sixty (60) dollars per acre shall be paid for such land.

Amend item sixteen of section 2 by striking out the word "ninety-five" in line 251 and insert in lieu thereof the words "one hundred."

Amend item 16, section 2, by striking out the word "one" in line 252 and insert in lieu thereof "three."

Amend item 17, line 274, after the word "building" by inserting the sum of "twenty-five thousand dollars" in lieu of "twenty thousand dollars."

Amend item 19 by inserting after the word "necessary" in line 331 of the printed bill, "and said Board shall cause to be published not to exceed fifteen hundred volumes of any issue of the Supreme Court Reports and not to exceed one thousand volumes of any issue of the Appellate Court Reports, and for the publication of said reports the sum of fifteen (15,000) thousand dollars, or so much thereof as may be necessary, be appropriated."

Amend item thirteen by adding to the same the following:

"For the office expenses of the Clerk of the Supreme and Appellate courts, six hundred dollars."

Amend item 18, line 292, after the word "boys," by striking out "\$58,500," and inserting in lieu thereof "sixty-five thousand dollars."

Amend line 332, item 19, section 2, of the printed bill, by striking out the word "two" and inserting in lieu thereof the word "three."

Amend by adding to item 20 of section 2 thereof the following words:

To Louis Haase, for amount of fine remitted by Governor Chase, but paid by mistake into the Treasury, the sum of two hundred and fifty dollars (\$250).

Amend item twenty by adding thereto the following:

Inasmuch as an emergency exists with reference to the several specific sums appropriated in this item, it is therefore hereby declared that as to said item twenty, section two of this act, this act shall take effect and be in force from and after its passage.

Amend by inserting in line 421, to Andrew M. Sweeney, for transcribing order books one, six and thirteen of the Supreme Court of the State, seven hundred and four (\$704) dollars.

Amend by striking out lines 401, 402, and all in line 403 up to the word "to."

Amend section 2, line 388, by striking out the words "J. N. Jack" and inserting "John H. Jack;" also in line 390 of section 2, strike out the words "J. N. Jack" and insert the words "John H. Jack."

Amend by striking out all beginning with the word "provided," in line 226, and ending with the word "appropriated," in line 281.

Amend section 2, item 20, by striking out "University Park" whenever the same appears.

Amend item 16 by substituting for the words "seventy-six thousand five hundred," lines 211 and 212, the words "eighty thousand."

Amend by striking out "ninety-five" in line 288 and substituting in lieu thereof "one hundred and ten."

Amend by striking out "eighty thousand and five hundred" and inserting in lieu thereof "ninety thousand" in lines 279 and 280.

Amend by adding in line 421, "To Reuben P. Main, \$1,974.90."

Amend in section 2 in item 20 at the end of line 421, page 14, as follows, to wit:

To John Brennan for services for balance due on wages as Janitor of the Supreme Court from September 1, 1889, to September 15, 1890, inclusive, the sum of "one hundred and eighty-five dollars (\$185)."

Amend by adding to item 13 of section 2 the words "For the salary of the Judge of the Criminal Court the sum of thirty-two hundred and fifty dollars (\$3,250) for each year."

Amend the title by inserting the words "and fixing certain salaries" after the word "appropriation" in line 1 of such title.

And we recommend that when the bill is so amended that the same do pass.

SAMUEL PARKER,  
Chairman.

Which report was concurred in.

Senator Haggard moved that the constitutional rule requiring bills to be read on three several days be suspended, that the bill be read the third time now, and put upon its passage.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were :

Senators Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, White, Wray. Total, 44.

Senator Sweeney voting in the negative.

So the constitutional rule was suspended and the bill was read the third time.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, White, Wray. Total, 43.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The Conference Committee on Engrossed House Bill No. 165, made the following report :

*To the Senate and House of Representatives :*

Your Conference Committee, consisting of S. E. Nicholson, T. E. Holloway, W. H. Watson and J. W. Crumpacker, to whom was referred section 9½ of Engrossed House Bill No. 165, would respectfully report as follows, to wit :

We recommend that section 9½ be amended to read as follows :

Section 9½. It shall be unlawful for any spirituous, vinous or malt liquors to be sold or given away in any drug store in any quantity less than a quart at a time, except upon the written prescription of a reputable practicing physician. Any person violating any of the provisions of this section shall be fined for the first offense the sum of \$25, and for the second offense in any sum not less than \$25 nor more than \$200, to which may be added imprisonment in the county jail not exceeding six months.

W. H. WATSON,  
J. W. CRUMPACKER,  
S. E. NICHOLSON,  
FRED. E. HOLLOWAY,  
Conference Committee.

Senator Watson moved that the report be concurred in.

Senators Crumpacker and Shiveley demanded the ayes and noes.

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Shiveley, Sweeney, Vail, Watson, White. Total, 41.

Those voting in the negative were :

Senators Ellison, Gifford, Kern of Marion, Seller, Stuart, Wray. Total, 6.

So the report was concurred in.

The question being, Shall the bill as amended pass ?

Those voting in the affirmative were :

Senators Baker, Barnes, Beck, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, La-

Follette, McCord, McCutchan, McDonald, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Vail, Watson, White, Wray. Total, 38.

Those voting in the negative were :

Senators Alexander, Bird, Humphreys, Johnston, Kern of Marion, Leyden, McHugh, Stuart, Sweeney. Total, 9.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The President of the Senate announced that he had signed House Enrolled Acts Nos. 313, 336, 482, 266, 585, 335, 548 and 311.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Engrossed Act No. 330, notwithstanding the objections of the Governor, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Said veto message is as follows :

EXECUTIVE DEPARTMENT, }  
INDIANAPOLIS, IND. }

*To the House of Representatives of the State of Indiana, Hon. Justus C. Adams, Speaker :*

The bill herewith returned, House Bill No. 330, changes the time of election of County Superintendents from the first Monday in June to the first Monday in September. This measure is seriously objectionable, and is not in the interest of our public schools. There are potent reasons why this change should not be made. Nearly all the schools of the State begin their term early in September, many on the first Monday of this month. It is one of the important duties of the Superintendent to assist the Township Trustees in selecting and placing the teachers and starting the schools in their work.

The teachers' county institutes, which have become an important adjunct to our schools, are usually held throughout the State in the month of August. The new trustees coming into office, wholly inexperienced in their work, need the experience of the trained superintendents this time more than any other. To change the election of Superintendents to so late a period as the first Monday in September will result in positive injury to the schools. If there is one thing more than another that should be held sacred from the baleful influences of partisan politics, that surely is our public schools. I trust you may not permit this bill to become a law.

CLAUDE MATTHEWS,  
Governor.

Senator Newby made the following motion:

MR. PRESIDENT:

I move that the message of the Governor vetoing House Bill No. 380 be received and his objection to said bill be entered at large upon the Journal of the Senate, and that the Senate do now proceed to the consideration of said House Bill No. 380, and that said bill do pass, notwithstanding the objections of the Governor, and upon which motion I demand the previous question.

NEWBY.

The Senate seconded the demand for the previous question.

The question being, Shall the main question be now put?

Those voting in the affirmative were:

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White. Total, 27.

Those voting in the negative were:

Senators Alexander, Barnes, Beck, Bird, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, Rinear, Seller, Stuart, Sweeney, Wray. Total, 18.

So the main question was ordered.

The question being, Shall the bill pass, notwithstanding the objections of the Governor thereto?

Those voting in the affirmative were :

Senators Baker, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, Mull, Newby, O'Brien, Phares, Schneck, Self, Shiveley, Vail, Watson, White. Total, 27.

Those voting in the negative were :

Senators Alexander, Barnes, Beck, Ellison, Gifford, Humphreys, Johnston, Kern of Marion, Leyden, McDonald, McHugh, McKelvey, McLean, Rinear, Seller, Stuart, Sweeney, Wray. Total, 18.

So the bill passed, notwithstanding the objections of the Governor thereto.

The following message was received from the House:

**MR. PRESIDENT :**

I am directed by the House to inform the Senate that the House has passed House Enrolled Act 128, notwithstanding the objections of the Governor, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Said veto message is as follows :

*To the House of Representatives of the State of Indiana,*

HON. JUSTUS C. ADAMS, *Speaker :*

House Bill No. 128 contains such a novel and wide departure from the generally understood, although it may be unwritten, law of the State that I have been unable to persuade myself to approve it. This bill proposes to create a Superior Court for the counties of Lake, Porter and Laporte, with the provision that such court may be held at other places in Lake and Laporte counties than at the established county seats.



To this court is given concurrent jurisdiction with the Circuit Court in all cases "except actions in which the title to real estate shall be involved," and general probate affairs. Full concurrent jurisdiction is especially given in all criminal actions or cases. Never, in the history of the State, have courts of this character been established to be held at other places than at the recognized county seats.

This, it is to be feared, will be establishing a dangerous precedent, leading to conditions and results not to the best interest of the citizens of the State. The provisions of this bill could be extended to other towns of four thousand inhabitants in other counties of the State. Creating two or more courts of almost like character and powers at different places in a county is apt to bring confusion and distress. The new courts so established may, in the end, mean a court house and jails, entailing expense and contentions that would be mischievous, harrassing and injurious to the citizens of such counties.

It may be that the circuits in these counties should have relief, and that many citizens are put to inconvenience in attending court. To all litigants there is inconvenience, discomfort and distress in attending court wherever situated, and the new court established at other points than at the county seat would bring the same distress to those who are compelled to attend. I can not but believe the bill to be a dangerous one, and therefore return it without my approval.

CLAUDE MATTHEWS,  
Governor.

Senator Newby offered the following motion :

MR. PRESIDENT :

I move that the message of the Governor, vetoing House Bill No. 128, be received and his objections to said bill be entered at large upon the Journal of the Senate, and that the Senate do now proceed to the consideration of said House Bill 128, and that said bill do pass notwithstanding the objections of the Governor.

NEWBY.

Which motion prevailed.

The question being, Shall the bill pass notwithstanding the objections of the Governor thereto?

Those voting in the affirmative were :

Seunators Alexander, Raker, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gifford, Gostlin, Haggard, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McDonald, McHugh, McLean, Mull, Newby, O'Brien, Phares, Schneck, Shiveley, Stewart, Vail, Watson, White, Wray. Total, 33.

Those voting in the negative were :

Senators Barnes, Beck, Ellison, Holler, Humphreys, Kern of Marion, Rinear, Seller, Sweeney. Total, 9.

So the bill passed, notwithstanding the objections of the Governor thereto.

Engrossed House Bill No. 521 was read the second time.

Senator Duncan moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that the bill be read a third time by sections now.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were :

Senators Alexander, Barnes, Beck, Bethell, Boyd, Bozeman, Collett, Crumpacker, Duncan, Ellison, Gostlin, Haggard, Holler, Houghton, Humphreys, Kerns of Vermillion, LaFollette, McCord, McCutchan, McHugh, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Stuart, Vail, Watson, White. Total, 34.

Senator Gifford voting in the negative.

So the constitutional rule was suspended, the bill read a third time by sections and put upon its passage now.

The question being, Shall the bill pass ?

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Seller, Shiveley, Vail, Watson, White. Total, 39.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House refuses to concur in the amendments to House Bill No. 588 and asks for a committee of conference. The House has appointed Messrs. Allen and Robinson to confer with the Senate committee.

R. A. BROWN,  
Clerk.

Senator Haggard moved that a conference committee of two Senators be appointed by the President.

Which motion prevailed.

The President appointed Senators Newby and Haggard as such committee.

House Bill No. 630 was read the second time.

Senator Baker moved that the constitutional rule requiring bills to be read on three several days be suspended and the bill read the third time by sections now.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Duncan, Ellison, Gifford, Gostlin, Houghton, Humphreys, Johnston, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Muß, O'Brien, Parker, Phares, Rinear, Schneck, Shiveley, Vail, Watson, White, Wray. Total, 87.

None voting in the negative.

So the constitutional rule was suspended and the bill read the third time and placed upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, O'Brien, Parker, Phares, Rinear, Shiveley, Stuart, Vail, Watson, White. Total, 89.

None voting in the negative.

So the bill passed.

Senator Parker moved to amend the title of the bill as follows :

Amend the title to House Bill No. 630 by striking out the words "one-half," and inserting in lieu thereof the words "one-fourth."

Which motion prevailed.

The title of the bill as amended was ordered to stand as the title to the act.

The Committee on Swamp Lands and Drains made the following report :

MR. PRESIDENT :

Your Committee on Swamp Lands and Drains, to which was referred Engrossed House Bill No. 651, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

I. PHARES,  
Chairman.

The report was concurred in.

Senator Phares moved that the constitutional rule requiring bills to be read on three several days be suspended, the bill read the second time by title and the third time by sections now.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bird, Boerd, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Holler, Houghton, Humphreys, Johnston, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McLean, Mull, O'Brien, Phares, Rinear, Schneck, Seller, Stuart, Sweeney, Vail, Watson, Wray. Total, 36.

None voting in the negative.

So the constitutional rule was suspended, the bill read the second time by title, the third time by sections and put upon its passage now.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Baker, Barnes, Beck, Bird, Boerd, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Holler, Houghton, Humphreys, Johnston, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McKelvey, McLean, Mull, O'Brien, Phares, Rinear, Schneck, Self, Seller, Stuart, Vail, Watson, White, Wray. Total, 39.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has adopted the report of the Conference Committee on the amendment to House Bill No. 165, concerning section 9½.

R. A. BROWN,  
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bills Nos. 297 and 177, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Enrolled Act No. 474, notwithstanding the objections of the Governor, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bills Nos. 97, 118, 250, 338, 372, 420, 419 and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Concurrent Resolution No. 21 and Senate Bills Nos. 29, 59, 307, 90 and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House amendments to Senate Bill No. 59.

MR. SPEAKER :

I move to amend Senate Bill No. 59, by striking out of section 1, words as follows : "and said report is to be published in a newspaper in the town or county."

Also wherever the words "donator" or "donators" occur strike out the word "donator" and insert the word "donor."

Also in section 2 (two), where word "supervisor" occurs, I move to strike out the word "supervisor" and insert the word "approve."

VAN ARSDEL.

Senator Bozeman moved that the Engrossed House amendments to Senate Bill No. 59 be concurred in.

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Duncan, Ellison, Gifford, Gostlin, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollete, Leyden, McCord, McCutchan, McDonald, McKelvey, McLean, Mull, O'Brien, Parker, Phares, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 42.

None voting in the negative.

So the amendments were concurred in.

Engrossed House amendment to Senate Bill No. 465, as follows:

MR SPEAKER:

I move to amend the title of Senate Bill No. 465, by adding the words "and declaring an emergency."

HESLER.

The question being, Shall the amendment be concurred in?

Those voting in the affirmative were:

Senators Alexander, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Cranor, Crumpacker, Ellison, Gifford, Gostlin, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McKelvey, McLean, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White. Total, 40.

None voting in the negative.

So the amendments were concurred in.

Senator Watson moved that the House amendments to Senate Bill No. 90, as engrossed in the body of said bill by the Clerk of the House, be concurred in.

Those voting in the affirmative were:

Senators Alexander, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Holler, Johnston, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White. Total, 40.

None voting in the negative.

So the amendments were concurred in.



Engrossed House Bill No. 167 was read the second time.

Senator Seller moved that the constitutional rules, requiring bills to be read on three several days be suspended, and the bill read the third time by sections now.

The question being on the suspension of the constitutional rules.

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Duncan, Ellison, Gifford, Holler, Houghton, Johnston, Kern, LaFollette, Leyden, McCord, McDonald, McHugh, McKelvey, McLean, Mull, O'Brien, Rinear, Seller, Sweeney. Total, 25.

Those voting in the negative were :

Senators Boord, Boyd, Bozeman, Collett, Cranor, Crum-packer, Gostlin, Kerns, McCutchan, Schneck, Self, Shiveley, Vail, Watson, White. Total, 15.

So the constitutional rules were not suspended.

Engrossed House Bill No. 106 was read the second time.

Senator Ellison moved that the constitutional rule requiring bills to be read on three several days be suspended, the bill be read a third time and put upon its passage.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crum-packer, Duncan, Ellison, Gifford, Gostlin, Holler, Johnston, Kern of Marion, Kerns of Vermillion, Leyden, McCord, McHugh, McKelvey, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Sweeney, Watson, White, Wray. Total, 37.

None voting in the negative.

So the constitutional rule was suspended, the bill read the third time and put upon its passage.

Those voting in the affirmative were :

Senators Alexander, Barnes, Beck, Bethell, Bird, Boyd, Bozeman, Cranor, Duncan, Ellison, Gifford, Gostlin, Holler, Johnston, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McHugh, McKelvey, McLean, Mull, O'Brien, Parker, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White. Total, 35.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The consideration of Engrossed House Bill No. 628, which was made a special order for this afternoon was now taken up.

Senator Cranor moved that the further consideration of the bill be indefinitely postponed.

Senator Watson and LaFollette demanded the ayes and noes.

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bird, Boord, Collett, Cranor, Holler, Johnston, Kerns of Vermillion, Leyden, McHugh, McKelvey, McLean, O'Brien, Phares, Rinear, Self, Seller, Shiveley, Wray. Total, 22.

Those voting in the negative were :

Senators Bethell, Boyd, Bozeman, Crumpacker, Duncan, Ellison, Gostlin, Houghton, LaFollette, McCord, McCutchan, McDonald, Mull, Parker, Schneck, Stuart, Sweeney, Vail, Watson, White. Total, 20.

So the motion prevailed.

Engrossed House Bill No. 285 was read the second time.

Senator Alexander moved that the constitutional rule requiring bills to be read on three several days be suspended and the bill be read a third time and put upon its passage.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Duncan, Ellison, Gifford, Gostlin, Holler, Johnston, Kern of Marion, Kerns of Vermillion, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, O'Brien, Parker, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, White, Wray. Total, 38.

None voting in the negative.

So the constitutional rule was suspended, the bill read the third time by sections and put upon its passage.

The question being, Shall the bill pass ?

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Holler, Houghton, Johnston, Kerns of Vermillion, LaFollette, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, White, Wray. Total, 40.

None voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed House amendments to Senate Bill No. 338 :

**MR. SPEAKER :**

I move to amend the title of Senate Bill No. 338 by adding thereto the words "and declaring an emergency."

Senator McDonald moved that the amendment be concurred in.

Those voting in the affirmative were :

Senators Baker, Barnes, Beck, Bethell, Bird, Boyd, Boze-  
man, Collett, Duncan, Ellison, Gifford, Gostlin, Holler, Hough-  
ton, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette,  
Leyden, McCord, McCutchan, McDonald, McKelvey, McLean,  
Mull, O'Brien, Phares, Rinear, Schneck, Self, Seller, Shiveley,  
Vail, Watson, White, Wray. Total, 36.

Senator Stuart voting in the negative.

So the amendment was concurred in.

The Committee on Elections made the following reports :

**MR. PRESIDENT :**

Your Committee on Elections, to which was referred House  
Bill No. 458, introduced by Mr. McGregor, begs leave to report  
the same back to the Senate with the recommendation that the  
bill do pass.

HOUGHTON,  
Chairman.

**MR. PRESIDENT :**

The minority of your Committee on Elections, to which was  
referred House Bill No. 458, begs leave to report the same back  
to the Senate with the recommendation that the same be in-  
definitely postponed.

R. F. STUART.

The question being, Shall the minority report be substituted  
for the majority report ?

Which question was lost.

The majority report was then adopted.

The bill was read the second time and ordered to its third  
reading.

Senator McCord introduced Senate Bill No. 486, entitled :

A bill for an act to establish and legalize the arms of the  
State of Indiana, and to provide for the use thereof on the pub-  
lic seals and for the purchase of a seal of state.

Senator Baker moved that Senate Bill No. 486 be printed.

Which motion prevailed.

The President announced that he has signed House Enrolled Bill No. 265.

Engrossed House Bill No. 452 was read the second time and passed to the third reading.

Senator Boord, Chairman of the Committee on Corporations, made the following report :

MR. PRESIDENT :

Your Committee on Corporations, to which was referred House Bill No. 648, introduced by Mr. McGregor, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

BOORD,  
Chairman.

The report was concurred in.

Senator LaFollette moved that the constitutional rule requiring bills to be read on three several days be suspended, the bill read the second time by title and the third time by sections now.

The question being on the suspension of the constitutional rules.

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneek, Self, Shiveley, Sweeney, Vail, Watson, White. Total, 41.

Senator Beck voting in the negative.

So the constitutional rules were suspended, the bill read the second time by title and the third time by sections now.

The question being, Shall the bill pass ?

Those voting in the affirmative were :

Senators Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Duncan, Ellison, Gostlin, Holler, Houghton, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, Newby, O'Brien, Phares, Rinear, Schneck, Self, Shiveley, Stuart, Sweeney, Vail, Watson, White. Total, 39.

None voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The Committee on Finance made the following report :

MR. PRESIDENT :

Your Committee on Finance, to which was referred House Bill No. 47, introduced by Mr. Moore, begs leave to report the same back to the Senate with the recommendation that the same do pass.

HAGGARD,  
Chairman.

The report was concurred in.

Senator Duncan moved that the constitutional rules, requiring bills to be read on three several days, be suspended, the bill read the second time by title and the third time by sections now.

The question being on the suspension of the constitutional rules.

Those voting in the affirmative were :

Senators Baker, Barnes, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostlin, Holler, Kern, Kerns, LaFollette, McCord, McCutchan, McLean, Mull, O'Brien, Phares, Schneck, Self, Seller, Shiveley, Sweeney, Vail, White. Total, 30.

Those voting in the negative were :

Senators Houghton, Johnston, McDonald, McKelvey, Parker, Rinear, Stuart, Watson. Total, 8.

So the constitutional rules were not suspended.

The following message was received from the House :

**MR. PRESIDENT :**

I am directed by the House to inform the Senate that the House has passed House Bill No. 653, Senate Bills Nos. 473 and 403, and Senate Bill No. 148, and the same are herewith transmitted for the action of the Senate.

**R. A. BROWN,**

Clerk.

Engrossed House Bill No. 653, entitled :

A bill for an act to amend sections two and three of an act entitled, "A bill for an act defining the First and Eleventh Judicial Circuits, and creating and defining the Fifty-seventh Judicial Circuit, fixing the times of holding court therein, providing for the appointment and election of Judges and Prosecuting Attorneys, and otherwise regulating the manner of holding courts in said circuits, and repealing all laws in conflict therewith," approved March, 1895.

Read the first time and referred to the Committee on Organization of Courts.

Engrossed House amendments to Senate Bill No. 148, as follows :

**MR. SPEAKER :**

I move to amend the title to Engrossed Senate Bill No. 148 to read as follows :

A bill for an act to amend section 1, 6 and 9 of an act entitled, "An act to encourage the erection and operation of water works in towns by incorporated associations, and prescribing the powers and privileges of such corporations, and the restrictions and liabilities to which they shall conform, and declaring an emergency, approved March 6, 1889, and declaring an emergency."

Senator Vail moved that the Senate concur in House amendments to Senate Bill No. 148.

Those voting in the affirmative were:

Senators Alexander, Baker, Barnes, Beck, Bethell, Boord, Boyd, Bozeman, Cranor, Crumpacker, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Shiveley, Stuart, Sweeney, Vail, Watson, White. Total, 40.

None voting in the negative.

So the amendments were concurred in.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has concurred in the report of conference committee on conference of House Bill No. 588.

R. A. BROWN,  
Clerk.

The conference committee on Engrossed House Bill No. 588 made the following report:

MR. PRESIDENT:

Your committee on conference, composed on the part of the Senate of Senators Haggard and Newby and on the part of the House of Representatives of Messrs. Allen and Robinson, appointed to consider and agree as to certain amendments made by the Senate to Engrossed House Bill No. 588, introduced by Representative Allen, begs leave to submit the following report:

Upon Amendment No. 1 the House accedes.

Upon Amendment No. 2 the House accedes.

Upon Amendment No. 3 the House accedes.

Upon Amendment No. 4 the House accedes.

Upon Amendment No. 5 the Senate recedes.



Upon Amendment No. 6 the House accedes after amending by substituting "nine hundred" for "one thousand."

Upon Amendment No. 7 the Senate recedes.

Upon Amendment No. 8 the Senate recedes.

Upon Amendment No. 9 the House accedes.

Upon Amendment No. 10 the Senate recedes.

Upon Amendment No. 11 the House accedes, after amending by striking out the change of phraseology and making the amendment read: Amend by striking out the words "one hundred" and inserting "two hundred."

Upon Amendment No. 12 the House accedes.

Upon Amendment No. 13 the House accedes.

Upon Amendment No. 14 the House accedes.

Upon Amendment No. 15 the House accedes.

Upon Amendment No. 16 the House accedes, after amending to read two hundred and forty thousand dollars instead of two hundred and fifty thousand dollars.

Upon Amendment No. 17 the House accedes.

Upon Amendment No. 18 the Senate recedes.

Upon Amendment No. 19 the Senate recedes.

Upon Amendment No. 20 the House accedes, after amending to read one thousand dollars instead of two thousand dollars.

Upon Amendment No. 21 the Senate recedes.

Upon Amendment No. 22 the House accedes.

Upon Amendment No. 23 the House accedes.

Upon Amendment No. 24 the Senate recedes.

Upon Amendment No. 25 the House accedes.

Upon Amendment No. 26 the Senate recedes.

Upon Amendment No. 27 the House accedes, after amending so as to read two thousand instead of three thousand.

Upon amendment No. 28 the Senate recedes.

Upon amendment No. 29 the House accedes, after amending so as to read five thousand instead of fifteen thousand dollars, and adding these words: "*Provided*, That so much as may be necessary for the printing of these reports may be expended from the regular appropriation for public printing."

Upon Amendment No. 30 the Senate recedes.

Upon Amendment No. 31 the Senate recedes.

Upon Amendment No. 32 the Senate recedes.

Upon Amendment No. 33 the House accedes.

Upon Amendment No. 34 the House accedes.

Upon Amendment No. 35 the Senate recedes.

Upon Amendment No. 36 the House accedes.

Upon Amendment No. 37 the House accedes.

Upon Amendment No. 38 the House accedes.

Upon Amendment No. 39 the Senate recedes.

Upon Amendment No. 40 the Senate recedes.

Upon Amendment No. 41 the House accedes.

After amending so to read one hundred thousand instead of one hundred and ten thousand.

Upon Amendment No. 42 the House accedes after amending so as to read eighty-five thousand instead of ninety thousand dollars.

Upon Amendment No. 43 the House accedes.

Upon Amendment No. 44 the House accedes.

Upon Amendment No. 45 the House accedes.

Upon Amendment No. 46 the House accedes.

W. S. HAGGARD,

L. P. NEWBY,

J. P. ALLEN,

W. D. ROBINSON,

Conference Committee.

Senator Crumpacker moved that the report be adopted, and demanded the previous question.

The question being, Shall the main question be now put.

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Bethell, Boyd, Bozeman, Collett, Cranor, Crumpacker, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Self, Shiveley, Sweeney, Vail, Watson, White. Total, 37.

None voting in the negative.

So the main question was ordered.

The question being, Shall the report of the committee be concurred in ?

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gifford, Gostlin, Haggard, Holler, Houghton, Kern, Kerns, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McLean, Mull, Newby, O'Brien, Parker, Phares, Schneck, Self, Shiveley, Vail, Watson, White. Total, 37.

Those voting in the negative were :

Senators Beck, Ellison, Johnston, McKelvey, Rinear, Seller, Stuart, Sweeney. Total, 8.

So the report was concurred in.

The question being, Shall the bill pass ?

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Kerns, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McLean, Mull, Newby, O'Brien, Parker, Phares, Schneck, Self, Shiveley, Vail, Watson, White. Total, 34.

Those voting in the negative were :

Senators Beck, Ellison, Gifford, Kern, McKelvey, Rinear, Seller, Stuart, Sweeney. Total, 9.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senator Crumpacker moved that when the Senate adjourns, that it adjourn to meet at 9 o'clock Monday morning.

Which motion prevailed.

Senator Leyden gives notice that on Monday morning he will move to reconsider the vote on House Bill No. 628.

The President of the Senate reported that he had signed House Enrolled Act No. 165.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bills Nos. 87, 147 and 149, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

On motion of Senator McDonald the Senate adjourned.

MORTIMER NYE,

WILLIAM S. ENNES,

President of the Senate.

Assistant Secretary of the Senate.

## MONDAY MORNING.

MARCH 11, 1895.

The Senate met pursuant to adjournment, with Lieutenant-Governor Nye in the chair.

Prayer was offered by Rev. Mrs. A. L. Roberts, of the First United Brethren Church of Indianapolis.

After a portion of the Journal had been read, on motion of Senator Boyd, the further reading of the same was dispensed with.

House Concurrent Resolution No. 11 was read.

Senator Duncan offered Amendment No. 1, as follows :

I move to amend the resolution by adding the following :

*“Provided, The said city shall be at all the expense in building, constructing, maintaining, caring for and cleaning all the streets and sidewalks surrounding the same.”*

DUNCAN.

Which amendment was adopted.

Senator Parker offered Amendment No. 2, as follows :

*“Provided, That nothing herein contained shall be held or taken to be a relinquishment of any right or title to said land that the State now has: And, provided further, That the power hereby conferred on said city to beautify and improve said land shall cease at any time upon demand by the Governor, and said city shall not have the right to remove any property thereon placed nor to receive any compensation therefor.”*

PARKER.

Which amendment was adopted.

The question being on the adoption of the resolution.

Those voting in the affirmative were :

Senators Baker, Beck, Bethell, Bird, Barnes, Bozeman, Collett, Crumpacker, Ellison, Holler, Houghton, Humphreys, Johnston, Kern, LaFollette, Leyden, McCutchan, McHugh, McKelvey, Mull, O'Brien, Parker, Phares, Rinear, Seller, Stuart, Sweeney, Vail, Watson, Wray. Total, 30.

Those voting in the negative were :

Senators Duncan, Gostlin, Kerns, White. Total, 4.

So the resolution was adopted.

Senator Kern offered the following resolution :

*Resolved*, That the thanks of the Senate are due and are hereby extended to the Principal and Assistant Secretaries and their efficient force of clerks, and to the several committee clerks, for their ability and fidelity with which they have discharged their duties, and the uniform courtesy with which they have treated the members of this body.

KERN.

Which resolution was adopted.

The Committee on Enrolled Bills made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills, to which was referred Senate Concurrent Resolution No. 21 and Senate Enrolled Bills Nos. 420, 29, 59, 97, 118, 148, 177, 250, 297, 307, 338, 372, 403, 419, 444, 465 and 473, introduced by Senators Duncan, Kern, Bozeman, Watson, Barnes, Sweeney, Vail, Newby, Shiveley, Holler, Cranor, McDonald, Rinear, Schneck, Duncan, McCord, Boord and Wishard, respectively, begs leave to report that they have compared the enrolled bills with the bills as passed by the Senate and find the same to be correct.

VAIL,  
Chairman.

The President of the Senate announced that he had signed Senate Enrolled Bills Nos. 420, 29, 59, 90, 97, 118, 148, 177, 250, 297, 307, 338, 372, 403, 419, 444, 465 and 473.

The following message was received from the Governor :

INDIANAPOLIS, IND., March 11, 1895.

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has signed Enrolled Senate Bills Nos. 38, an act to legalize sheriff sales of real estate; No. 181, an act authorizing depositions to be taken to probate wills; Senate Bill No. 198, an act concerning appointment of shorthand reporters in Courts of Record; Senate Bill No. 313, an act concerning stolen goods; Senate Bill No. 327, an act to establish State Library Board; Senate Bill No. 331, an act for the protection of discharged employes; Senate Bill No. 387, an act defining who are persons of unsound mind and appointment of guardians; Senate Bill No. 350, an act prohibiting publication or sale of pernicious literature; Senate Bill No. 352, an act legalizing records of Circuit and Superior courts; Senate Bill No. 399, granting certain power to lodges and grand lodges; Senate Bill No. 421, an act authorizing persons having claims against the State to bring suit therefore in Superior courts.

Respectfully,

MYRON D. KING,

Private Secretary.

Senator Duncan offered the following resolution :

*Resolved*, That the thanks of the Senate are due and are hereby tendered Hon. Mortimer Nye for the able, impartial and courteous manner in which he has presided over the deliberations of the Senate during the session just closing.

H. C. DUNCAN.

Which resolution was adopted.

Senator Haggard offered Concurrent Resolution No. 24, as follows :

MR. PRESIDENT :

*Resolved by the Senate, House of Representatives concurring*, That the Custodian or Superintendent of the State House be and is hereby required to furnish, immediately, a suitable room in the State House for the use of the department officers of the Grand Army of the Republic, Department of Indiana.

HAGGARD.

Senator Kern offered the following amendment, No. 1 :

MR. PRESIDENT :

I move to amend Concurrent Resolution No. 24 by inserting after the words " Department of Indiana" the words " and also appropriate rooms for the Sons of Veterans, the Loyal Legion, the Union Veteran Association, the Mexican War Veteran Association and the Woman's Relief Corps."

KERN.

Senator Haggard moved to reject the amendment.

Which motion prevailed.

Senator Wray offered Amendment No. 2, as follows :

MR. PRESIDENT :

I move to amend Senate concurrent resolution, offered by Senator Haggard, by adding after the " Department of Indiana" the following words: "Also appropriate rooms for the Knights of Pythias, the Independent Order of Odd Fellows of Indiana, and the Daughters of Rebekah."

WRAY.

Senator Phares moved to reject the amendment.

Which motion prevailed.

The question being on the adoption of the resolution.

Those voting in the affirmative were :

Senators Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Ellison, Gifford, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnston, Kern of Marion, Kerns of Vermillion, LaFollette, Leyden, McCord, McCutchan, McHugh, McLean, McManus, Manwaring, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Self, Seller, Shiveley, Stuart, Sweeney, Vail, Watson, White, Wray. Total, 46.

None voting in the negative.

So the resolution was adopted.



Senator Ellison offered Senate Concurrent Resolution No. 25, as follows :

MR. PRESIDENT :

I move the following concurrent resolution.

That the Governor of this State shall, within ninety days after the adjournment of the present General Assembly, appoint a commission of three persons, none of whom shall be directly or indirectly interested in any building, loan or savings association, and it shall be the duty of such commission to prepare a bill for an act to regulate the formation and business of such associations, the same to be prepared in a spirit of fairness to such associations and yet will prevent extortions and wrongs being practiced upon those who deal or borrow therefrom, and that such commission make a report to the Governor within one year of their appointment; that the Governor shall pay such Commissioners a reasonable sum for their services, not exceeding three hundred dollars (\$300), and that the same shall be paid out of any money not otherwise appropriated, on a certificate of the Governor.

ELLISON.

Which resolution was adopted.

Senator Phares offered Senate Concurrent Resolution No. 26, as follows :

MR. PRESIDENT :

I move the adoption of the following Concurrent Resolution :

WHEREAS, There is now in the hands of the Board of Managers of Indiana for the Columbian Exposition, held at Chicago in the year of 1893, an unexpended balance in the sum of about two thousand dollars; and,

WHEREAS, There are certain items of indebtedness owing by said Board which are unpaid, amounting to less than two hundred dollars;

WHEREAS, Other of the States are publishing souvenirs of their exhibits at said Columbian Exposition, which in the matter of exchanges between States will necessitate an expense to be borne by said Board ; therefore, be it

*Resolved*, That the Board of Managers of Indiana for the Columbian Exposition held at Chicago in the year 1893, be and they are hereby directed to pay to J. L. Campbell, President of said Board, one hundred dollars, to be by him used, so far as need be, in payment of the incidental expense connected with the exchange between States of published State souvenirs, and at the end of six months from the passage of these resolutions he shall pay to the Treasurer of State any balance of said sum remaining in his hands unexpended, taking a receipt therefor from said Treasurer, and filing the same with the Auditor of State; and be it further

*Resolved*, That said Board of Managers of Indiana for said Columbian Exposition are hereby directed immediately after the passing of these resolutions to proceed to settle all claims due from said Board to any person or persons, except as is provided for in the first resolution, taking receipts for all sums paid out by them on account of said claims, and at the expiration of thirty days from the taking effect of these resolutions said Board shall file a report of their said disbursements, with all their vouchers, with the Auditor of State, and shall pay to the Treasurer of State any unexpended balance of said funds, taking his receipt therefor, which shall also be filed with the Auditor of State, and thereupon said Board of Managers shall be dissolved, and shall be released from any further duties and responsibilities as such Board of Managers.

PHARES.

Which resolution was adopted.

The Committee on Finance made the following reports:

MR. PRESIDENT:

A majority of your Committee on Finance, to which was referred Concurrent Resolution No. 23, introduced by Senator Boyd, begs leave to report the same back to the Senate with the recommendation that the same do pass.

F. M. ALEXANDER,  
V. P. BOZEMAN,  
A. W. WISHARD.

MR. PRESIDENT :

A minority of your Committee on Finance, to which was referred Concurrent Resolution No. 23, introduced by Senator Boyd, begs leave to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

W. S. HAGGARD,  
W. H. GOSTLIN,  
I. P. LEYDEN.

Senator Shiveley moved to lay both reports and the resolution on the table.

Which motion prevailed.

The following was received from the Governor :

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has signed Enrolled Senate Bill No. 480, "An act to provide for the control and management of certain benevolent institutions."

Respectfully,

MYRON D. KING,

Private Secretary.

Senator Kern offered the following resolution :

WHEREAS, This Senate has just heard, with profound regret, of the death of Hon. Stephen E. Urmston, formerly a State Senator from the counties of Franklin, Ripley and Union; therefore,

*Resolved*, That the sincere sympathy of this body be extended to the family of the deceased, and that a copy of this resolution, duly authenticated, be forwarded by the Secretary to his widow.

KERN.

Which resolution was adopted.

Senator Watson moved that a committee of three Senators be appointed to wait upon the Governor to inquire whether he has any further communications for this body.

Which motion prevailed.

The Chair appointed Senators Watson, Crumpacker and Parker as such committee .

The following message was received from the Governor :

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has signed Enrolled Senate Concurrent Resolution No. 21, Senate Bill No. 276, "An act concerning juries;" Senate Bill No. 297, "An act for the protection of fish;" Senate Bill No. 465, "An act changing the name of Jacksonville, Fountain County."

Respectfully,

MYRON D. KING,

Private Secretary.

Senator Holler offered Concurrent Resolution No. 27, as follows:

**WHEREAS**, The question of utilizing convict labor of the State of Indiana so that the production of the labor is not placed upon the common market where it comes in competition with free labor, is a question of much importance to the prosperity of free labor; and

**WHEREAS**, The State of North Carolina and a number of the counties of the State of New York have successfully used convict labor for improving the public highways; therefore, be it

*Resolved*, That the Lieutenant-Governor appoint three hold-over Senators. The three Senators to constitute a commission to correspond with the authorities of the different States that are now using convict labor on their highways, and learn the manner in which convicts are being used and the success obtained in employing them on the public highways, and to report at the next session of the General Assembly any desirable legislation whereby convicts can be successfully worked on our highways.

HOLLER.

Which resolution was adopted.

Senator Schneck offered Senate Concurrent Resolution No. 28, as follows :

MR. PRESIDENT :

I offer the following resolution :

WHEREAS, Our State prisons are now crowded with convicts beyond their capacity, and will probably be inadequate to meet the demand for space two years hence ; and,

WHEREAS, The separation of the young criminals from the hardened criminals in these institutions as now arranged is impracticable ; therefore, be it

*Resolved*, That the President of the Senate appoint a committee of three hold-over Senators to investigate the practicability of inaugurating a system of one or more reformatory prisons in this State and report to the next session of the Senate.

L. SCHNECK.

Which resolution was adopted.

Senator Collett offered Senate Concurrent Resolution No. 29, as follows :

WHEREAS, The Boards of Trustees of the Central Indiana Hospital for the Insane, the Northern Indiana Hospital for the Insane, the Eastern Indiana Hospital for the Insane, the Southern Indiana Hospital for the Insane, the Institution for the Education of the Blind and the Institution for the Education of the Deaf and Dumb have been by an act of this General Assembly abolished ; and,

WHEREAS, The Boards of Control of the said institutions, authorized by said act, will not have been qualified and organized at the time prescribed by law for the regular meetings of said boards in the month of March, of the present year, and

WHEREAS, It is essential that the current business of these institutions be transacted promptly as prescribed by law ; therefore, be it

*Resolved by the Senate, the House of Representatives concurring,* That to meet such necessity, the several superintendents of said institutions are hereby empowered to perform *ad interim* such functions as may be necessary for the conduct of the current affairs of the several institutions until the aforesaid Boards of Control shall have been qualified and organized, and that the Auditor of State is hereby authorized to recognize said temporary substitution, and that said superintendents shall make full and complete reports to said Boards of Control immediately upon their organization, of all action taken under the provisions of this resolution.

Which resolution was adopted.

Senator Boyd offered the following resolution :

**MR. PRESIDENT :**

*Resolved,* That Miss Blanche Stockton, Miss Bertha Breckenridge, Miss Gladys Heagy, Miss Nellie Ross, Miss Alsie Ochiltree, Miss Lulu B. Poore and Mrs. Agnes C. Rice, Committee Clerks for the Senate, be allowed the sum of ten dollars (\$10) each in addition to their five dollars (\$5) a day to pay the rent on their typewriters, which have been used for the different groups which said stenographers have been assigned to, and that the Lieutenant-Governor and President of the Senate and Assistant Secretary be authorized to draw their warrants for each for said amounts.

Respectfully submitted,

THOMAS E. BOYD.

President *pro tem.* Newby ruled the resolution was not in order.

House Joint Resolution No. 1 was read the third time.

The question being on the adoption of the resolution.

Those voting in the affirmative were :

Senators Baker, Bethell, Boyd, Bozeman, Cranor, Duncan, Gostlin, Haggard, Kerns of Vermillion, LaFollette, Mull, Vail, White. Total, 18.

Those voting in the negative were:

Senators Alexander, Barnes, Bird, Collett, Gifford, Holler, Humphreys, Johnston, Kern of Marion, McCutchan, McDonald, McHugh, McKelvey, McLean, McManus, Manwaring, Rinear, Schneck, Shiveley, Stuart, Sweeney. Total, 21.

So the resolution was not adopted.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 266, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

The President of the Senate announced that he had signed Senate Enrolled Act No. 266.

The President of the Senate announced to the Senate that he had signed House Enrolled Acts Nos. 680, 521, 106, 285, 230, 651, 648 and 588.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 353 and Senate Bill No. 226 and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Engrossed House Bill No. 353, entitled:

A bill for an act providing for the creation of a labor commission and defining its duties and powers and providing for arbitrations and investigations of labor troubles.

House Joint Resolution No. 3, which had failed for want of a constitutional majority, was again read.

Engrossed House Joint Resolution No. 3:

A joint resolution of the Senate and House of Representatives of the State of Indiana, to amend section thirteen (13) of article two (2) of the Constitution of the State of Indiana concerning elections, and the manner and method of voting and balloting thereat, and to secure and preserve the secrecy of all such ballots and prescribing the method of elections by either branch of the General Assembly.

SECTION 1. *Be it resolved by the General Assembly of the State of Indiana*, That the following amendment to the Constitution of the State of Indiana be, and the same is now hereby agreed to, and referred to the General Assembly of said State to be chosen at the next general election, to wit: Amend section thirteen (13) of article two (2) of said Constitution to read as follows: All elections by the voters shall be by ballot or by such other method as may be prescribed by law: *Provided*, That the secrecy in voting be preserved: *And provided*, That all elections by the General Assembly, or by either branch thereof, shall be *viva voce*.

SEC. 2. *Resolved*, That in submitting this amendment to the electors of the State to be voted on, it shall be designated as Amendment No. 1.

The question being on the adoption of the resolution.

Those voting in the affirmative were:

Senators Baker, Barnes, Boord, Boyd, Gostlin, Haggard, Holler, Kern, Kerns, LaFollette, McCord, McCutchan, McLean, McManus, Manwaring, O'Brien, Parker, Phares, Schneck, Self, Seller, Shiveley, Stuart, Vail, Watson, White. Total, 26.

Those voting in the negative were:

Senators Alexander, Bird, Collett, Humphreys, Johnston, McKelvey, Rinear, Sweeney. Total, 8.

So the resolution was adopted.

Senator McCutchan asked unanimous consent to withdraw Senate Bill No. 175.

Which was granted.



Senators Boyd submitted the evidence taken in the investigation of the charges preferred against Alexander Johnson, Superintendent of the Institution for Feeble-Minded Youth at Fort Wayne.

Received and placed on file.

The Committee on Benevolent Institutions made the following report:

**MR. PRESIDENT:**

Your Committee on Benevolent Institutions, to which was referred House Bill No. 617, introduced by Mr. Statesman, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

THOMAS E. BOYD,  
Chairman.

The report was concurred in.

Senator Shiveley moved that the constitutional rule be suspended, the bill read the second time by title and the third time by sections now.

The question being on the suspension of the constitutional rule.

Those voting in the affirmative were:

Senators Baker, Boyd, Bozeman, Duncan, Haggard, Houghton, Kern, LaFollette, McCord, McManus, Manwaring, Mull, Phares, Schneck, Self, Shiveley, Vail. Total, 17.

Those voting in the negative were:

Senators Alexander, Beck, Bird, Collett, Crumpacker, Gifford, Gostlin, Holler, Humphreys, Johnston, McCutchan, McDonald, McHugh, McKelvey, Newby, Parker, Rinear, Seller, Stuart, Sweeney, Wray. Total, 21.

So the constitutional rule was not suspended.

Senator LaFollette called up Engrossed House Bill No. 167.

Senator Seller rose to a point of order, insisting that the Senate had no power under the constitution to pass bills on the last day of the session.

President *pro tem.* Newby ruled that the point of order was not well taken.

Senator Seller appealed from the decision of the Chair.

The question being, Shall the decision of the Chair stand as the decision of the Senate?

Those voting in the affirmative were:

Senators Baker, Bethell, Boyd, Bozeman, Duncan, Haggard, Kern of Marion, Kerns of Vermillion, Leyden, McLean, McManus, O'Brien, Phares, Schneck, Self, Shiveley, Vail. Total, 17.

Those voting in the negative were:

Senators Alexander, Barnes, Beck, Bird, Boord, Collett, Cranor, Crumpacker, Gifford, Gostlin, Holler, Houghton, Humphreys, Johnston, McCutchan, McDonald, McHugh, Manwaring, Mull, Parker, Rinear, Seller, Stuart, Sweeney, Wray. Total, 25.

So the decision of the Chair was not sustained.

The special committee appointed to confer with the Governor made the following report:

MR. PRESIDENT:

Your committee, composed of Ward H. Watson, J. W. Crumpacker and Samuel Parker, who were appointed to confer with the Governor, and consult with him in view of ascertaining whether or not he had any further communications to make, would respectfully report that we have had an interview with the Governor, and are authorized by him to state that he will have a communication to present to the Senate at or before 4 o'clock.

WARD H. WATSON,  
J. W. CRUMPACKER,  
SAMUEL PARKER.

Senator Cranor offered the following resolution :

*Resolved*, That the Secretary of the Senate be directed to cause to be printed a corrected calendar at close of the session and mail a copy of the same to each member of the Senate, and also deposit 150 copies of the same with the State Librarian for the use of the next Senate. That the Secretary of the Senate be directed to employ two assistants for three days for such purpose, and that the President and Assistant Secretary of the Senate draw the necessary warrants for the pay of said assistants.

CRANOR.

Which resolution was adopted.

Senators Manwaring offered the following resolution :

MR. PRESIDENT :

WHEREAS, The late lamented member of the Senate, Hon. J. D. Thayer, who died January 28, was at a great expense on account of his illness while attending to his duties as a member of this Senate ; therefore, be it

*Resolved*, That the Clerk is hereby instructed to draw a warrant in favor of the wife of the late Senator for full amount of his pay until his successor was sworn in February 22.

MANWARING.

Which resolution was adopted.

The committee appointed to draft resolutions of respect to the memory of the late Senator Yaryan made the following report :

MR. PRESIDENT :

Your committee appointed to prepare a memorial and resolution of respect concerning the Hon. John Yaryan, late a member of the Senate of the State of Indiana, respectfully submit the following :

WHEREAS, Since the adjournment of the Fifty-eighth General Assembly of the State of Indiana, it has pleased Almighty God, in his infinite wisdom, to remove by death the Hon. John Yaryan, late a member of this Senate from the county of Wayne ; therefore, be it

*Resolved*, That we regarded him as a faithful, conscientious legislator, full of honor as well as of years, and that his memory is endeared to us on account of his uniform kindness, fatherly bearing and devotion to what he conceived to be right.

*Resolved*, That these resolutions be spread in full upon the records of the Senate, and that the Secretary be directed to forward a copy of the same to his family.

FRED BOORD,  
CHAS. SHIVELEY,  
WM. E. McLEAN.

Which resolution was adopted.

Senator McCord made the following motion :

MR. PRESIDENT :

I move that the Clerk of the Senate be instructed to request the House to return to the Senate "Senate Concurrent Resolution No. 26" for the further consideration of the Senate.

McCORD.

Which motion prevailed.

The Committee on Prisons made the following report :

*To the General Assembly of the State of Indiana :*

The Committee on Prisons for the Prison North, of the Senate, have preformed the duty assigned them, and the majority of said committee begs leave to submit their report as follows, to wit :

The said committee went to Michigan City, and from thence to the Prison North. They went through and examined the buildings, the kind and character of the employment of the couvicts in said Prison, examined into certain contracts let by the Warden and Prison Directors ; examined into the care and condition of the prisoners, and the matters generally connected with the management of said prison. The matters particularly inquired into have been the following :

*First.* The health of the prisoners, and care of the insane

*Second.* The political machinery in said Prison.

*Third.* Contracts for prison labor.

*Fourth.* Letting of the bicycle contracts

The committee find that the general health of the prisoners in said prison is good, but that confined within said prison are two most pitiable instances of insane prisoners, and that there are no adequate means of taking care of said insane prisoners within said prison, and under the conditions they can not be properly cared for, and your committee recommend that said insane prisoners shall be removed and sent to the Hospital for the Insane, under the statute passed by the present General Assembly.

We find further that the prison discipline under Warden French is most excellent, and have no recommendation to make.

We find in relation to political machinery within said prison that the prison has been used as a political machine for the Democratic party; that at least two guards were kept on the pay roll while in fact they were out making campaign speeches; that the prisoners were required to, and did make a number of transparencies in the prison which were used for the public Democratic ratification in the city of Michigan City.

Your committee finds in relation to contracts for prison labor and the so-called bicycle contract, that on or about the 20th of January, 1894, 250 men were out of employment; that Warden French properly advertised for bids for the letting of these men, for a period of five years, and took the necessary steps in relation to said advertisement; that on the 19th day of February, being the day set for receiving the bids, certain bids were received for men at forty cents per day, which were rejected, the Directors at that time believing that they could get a higher rate; that subsequently no other or further advertisements were made in any paper for the letting of these men; that the Warden claims he wrote numerous letters in the endeavor to get bids, but is unable to produce the copies of any such letters, or any letters in reply thereto; that he claims to keep no files or press copies of his correspondence in the management of the prison business; that no other action was taken, or bids received until the latter part of August, 1894, at which time, by accident or otherwise, a number of gentlemen met at the prison, named as follows, to wit: Capt. Allen of Frankfort, D. A. Coulter of Frankfort, James Murdock of Lafayette, W. B. Hutchinson of Michigan

City, and a gentleman by the name of Christie, of Chicago; that at this time a memorandum of agreement was made in relation to the letting of one hundred and fifty men for a period of ten years, instead of five, as advertised; that this memorandum of agreement was not signed by any person, and no bond was executed for the faithful performance of its conditions; that immediately and without any further or better contract, the prison management proceeded to erect a building for the manufacture of bicycles, to be occupied by the gentlemen above named, at a cost to the State of Indiana of over \$9,000; that on or about the 6th day of September, one William C. Smith, the present manager of the bicycle company came into the prison with a number of free men, who began the manufacture of tools and the setting of machinery for the said bicycle company; that no contract was executed with anybody until the first day of October, 1894, when by some mysterious sort of legerdemain, and a further shuffle of the pack, turned up one Walter J. Ball, of LaFayette, who dropped into this contract, and all the gentlemen known therein prior to that time dropped out, although it is now admitted that they are still interested in the contract; that on said first day of October, two contracts were executed by said Walter J. Ball, one for one hundred men, and one for fifty men, conditioned exactly alike, being for the same time, the same purpose and between the same parties, and both of said contracts are secured under one bond; that the two said contracts, it is admitted, were executed as a subterfuge to evade the statute which prevents the letting of more than one hundred men under one contract; that the bond accepted and approved by the Directors for the faithful performance of said contract is not signed by sureties sufficient for such a bond (copies of which said contracts are filed herewith and marked "Exhibits A., B. and C.") that the names of the real parties in interest, being the gentlemen who met at the prison in August, as aforesaid, were, up to the time of this investigation, kept a strict secret from the world; that under the contract executed on the first day of October, as aforesaid, the prison management agrees to furnish the steam for heating this large bicycle factory at and for the price of \$400 per annum, while in fact such a service is worth several times such sum; that the capacity of the boilers of said prison for producing steam is not

sufficient to furnish the steam for heating this building and at the same time to heat the other buildings within said prison and that prisoners were actually suffering from the cold on account of this draft of steam from the other departments; that the price at which the convicts are let for the first five years is forty cents per day, being the same as the bids made in February before, and that during the period from February until the present, these men have been idle, except it is claimed that fifty of the men let under said bicycle contract are now employed in the factory, although very little evidence of such employment was found upon inspection of the works and the hands therein. (Copies of the testimony taken in connection with said bicycle contract are filed herewith and marked "Exhibit D.") We conclude that the foregoing facts are evidence of gross incompetency and mismanagement, or intentional fraud on the part of the Directors, as the whole transaction bears the ear marks of a contract not let in good faith with the intention of working the men, but of being a contract to be bartered away to outside factories who might fear the result of such competition, and were willing to pay such blackmail prices as might be demanded. Whatever may have been the motive or lack of motive on the part of the Warden and Directors in making this contract, and for other mismanagement and incompetency, as herein shown, we would recommend that they be promptly removed.

W. H. WATSON,  
 FRED. BOORD,  
 LOUIS SCHNECK,  
 W. M. GOSTLIN.

A minority of your Committee on Prison North would most respectfully report that we can not subscribe to the report made by the majority of the committee, only so far as the paragraphs relating to the prison discipline of Warden French. We find no reason for raising any question as to the regularity and absolute honesty of the prison contracts, and the methods pursued in making those contracts. Due diligence was used by Warden French, and the Board of Directors to get competitors for the prison labor, advertisements being inserted in many papers in the country, calling attention to the fact that the labor would be sold to the highest and best bidder. No

evidence was presented to the committee that would in the least reflect upon the methods pursued in closing up the bicycle contract. It was made in lieu with the methods that have always been in vogue.

We think and contend that the contract made by Warden French with the bicycle company is valid, honest and as regular as any other made in the prison for years.

There was no evidence at all before this committee that the prisoners had been used to make campaign banners, the assertion of the majority to the contrary notwithstanding, and if the committee makes any such statement, it is from rumors and hearsay evidence. The minority join in saying that the prison, under the management of Warden French, is a model institution of the kind, and that we saw no evidence that would in any way reflect upon his management.

J. E. McDONALD,  
S. R. McKELVEY.

The Committee on Prisons made the following reports:

*To the General Assembly of the State of Indiana :*

The Committee on Prisons, for the Prison South, has performed the duty assigned it, and the majority of said committee begs leave to submit its report as follows, to wit :

We proceeded to the Prison South, went through the buildings, examined into the kind and character of employment of the convicts of said prison, the health and condition of the prisoners, and the matters particularly inquired into were the treatment of the convicts, the discipline of the prison and the contracts for prison labor.

Your committee finds that the general health of the convicts in said prison is good, but they find that there are a number of insane convicts in said prison, and recommends that they be removed to the insane hospital, as provided by law, passed at this session of the General Assembly.

The committee finds further that the discipline under Warden Patten of the said prison is very bad, and the treatment of the prisoners by said Warden is vicious and inhuman; that he requires as one of the punishments that the prisoners stick their



arms through the bars of the door, then handcuff them there, and they are required to stand there all day long with their arms stretched through the door and handcuffed, and they sometimes are required to stand until nine or ten o'clock at night; that said Warden's inflicting of corporal punishment upon said prisoners is very severe, and falls but little short of assault and battery; that there are several instances where men have been whipped and were confined to their beds for several days in consequence thereof; that said Warden in other punishment requires that the prisoners be placed in a cell and given nothing but a small piece of corn bread and water, and this punishment is sometimes kept up for five or six days; that Warden Patten is a man of very quick, irritable and ungovernable temper, and when the prisoners, for real or fancied causes, are required to be punished the Warden, on account of his temper, is too severe and inhuman.

We also find that the Warden and Board of Directors have permitted the Patten Hollow Ware Company, a company doing business in said prison, and hiring prisoners therein, to become very much in arrears for the money due the State of Indiana for the labor of said prisoners; that there are a number of months now that the said Patten Hollow Ware Company is behind in the payment of the said prisoners.

Your committee took testimony from the convicts and from Warden Patten, which is filed and marked, "Exhibit A."

Your committee further finds that there are a number of convicts in the Prison South out of employment, who are compelled on account of being out of employment, to be kept in cells; that the cell-house is very inadequate, the cells being very small, and on account of the great number of prisoners, two men are required to remain in one cell. The committee recommends that contracts be let, that said prisoners may have employment, and further recommends that a new and better cell-house ought to be built for the keeping of the prisoners of said prison.

For the reason of the inhuman and cruel treatment by the Warden of the prisoners, and the unbusinesslike and bad management in the collecting of the money due the State of Indi-

ana from the said Patten Hollowware Company, and for the bad discipline of the prison, your committee recommends that Warden Patten be removed at once, and that the Board of Directors, also being incompetent, in not looking after the prison and the discipline and treatment of the prisoners, and the collecting of the money due the State, ought to be removed at once.

W. H. WATSON,

FRED. BOORD,

WM. GOSTLIN.

MR. PRESIDENT:

A minority of your Committee on Prisons would most respectfully report that we can not join with the majority of this committee in their report upon conditions in the Prison South.

We could not find any state of affairs that would in any way warrant the attack upon the management and conditions of this institution.

We find that many improvements have been made in and about the institution during the past two years; that the books are in excellent shape, and that the general management of the prison is such as to in no way merit the wholesale attack upon its officers and Board of Directors as is made by the majority.

J. E. McDONALD,

SAMUEL PARKER.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has concurred in the report of the Joint Committee appointed by House Concurrent Resolution No. 6, and has passed Senate Joint Resolution No. 1, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,

Clerk.

The Joint Committee appointed to investigate the charges against the Superintendent of the Hospital for the Insane at Evansville, made the following report:

MR. SPEAKER:

Your Committee on Benevolent and Scientific Institutions, in obedience to House Concurrent Resolution No. 6, that a committee composed of members of both House and Senate to investigate the Evansville Hospital for the Insane and empowering the committee to employ an expert accountant to assist in examining the accounts of the management of that institution, begs leave to report that the Hospital was visited by the committee composed of the House Committee and Senate Committee on Benevolent and Scientific Institutions, and a thorough examination made of the books of said Hospital, covering the entire period and the opening of the Institution. This committee as a result of the investigation submit the report of the expert, Fred. Bennett, of Evansville, which report is appended hereto for action by the House and Senate.

This committee recommends that one hundred and fifty dollars of the account submitted by Mr. Bennett be allowed in full of his claim, and that the Assistant Secretary of the House be authorized to draw a warrant for said sum on the State Treasurer in favor of said Bennett.

Signed,

CHAS. F. REMY,

Chairman of House Committee.

THOMAS E. BOYD,

Chairman of Senate Committee.

Which report was concurred in.

Senator Parker offered the following resolution:

MR. PRESIDENT:

*Be it resolved*, That the thanks of the Senate be and the same are hereby extended to the Hon. L. P. Newby, for the able and impartial manner in which he has discharged his duties as President pro tempore of the Senate during the session just closed.

PARKER.

Which resolution was adopted.

The following message was received from the Governor :

*To the Senate of the State of Indiana :*

I beg leave to inform the Senate that owing to the multiplicity of bills thrown upon me for consideration, in the past few days, I have been unable to properly consider Senate Bill No. 213. This bill relates to the charter of the city of Evansville. Not having protests from the citizens of that city, and presuming that this bill has had careful consideration by you, and meeting the demands and wishes of the people most affected, I have signed this bill and had the same placed in the hands of the Secretary of State.

CLAUDE MATTHEWS,  
Governor.

EXECUTIVE DEPARTMENT, }  
INDIANAPOLIS, IND. }

*To the Senate of the State of Indiana,  
Hon. Mortimer Nye, President :*

In response to the committee appointed to wait upon me, to learn if there was any further business on which I desired to communicate to the Senate, I have this to reply: There are several important measures now in the Senate in which I have felt deep personal interest, as Executive of the State, and would regret to see the Senate adjourn without taking action. These are House Bills 91, 167 and 397, and would enable the Executive to more completely and promptly carry out the constitutional injunction that he "shall take care that the laws be faithfully executed." Could the legislative department fully realize the difficulties under which the Executive in certain emergencies and conditions was hampered and obstructed by statutory provision in obeying this order of the Constitution you would not hesitate to give him relief. These laws are in the interest of all the people, of enforcing the laws, and would be the means at times of saving great expense to the State. Further than this, I have no other communication to make to your honorable body.

CLAUDE MATTHEWS,  
Governor.

Senator Parker moved to reconsider the vote by which the ruling of the Chair relative to the passage of bills to-day was overruled.

The Chair ruled that the motion was not in order.

Senator Shiveley moved that all reports now in the hands of committees be filed with the Secretary and spread upon the Journal.

Which motion prevailed.

The following reports were filed :

The Committee on Affairs of the City of Indianapolis made the following report :

**MR. PRESIDENT :**

Your Committee on the Affairs of the City of Indianapolis, to which was referred Senate Bill No. 160, introduced by Senator McHugh, begs leave to report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

A. W. WISHARD,  
Chairman.

The Committee on Judiciary made the following reports :

**MR. PRESIDENT :**

A minority of your Committee on Judiciary, to which was referred House Bill No. 318, introduced by Mr. Van Arsdell, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

KERN,  
PARKER.

**MR. PRESIDENT :**

A majority of your Committee on Judiciary, to which was referred House Bill No. 318, introduced by Mr. Van Arsdell, begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

L. P. NEWBY,  
L. W. VAIL,  
O. N. CRANOR,  
CHAS. E. SHIVELEY,  
J. J. N. LAFOLLETTE.

MR. PRESIDENT :

Your Committee on Education, to which was referred House Bill No. 384, introduced by Mr. McIntosh, would recommend that they have had the same under consideration, and would recommend that it be substituted for Senate Bill No. 264, and that when so substituted that the same do pass.

H. C. DUNCAN,  
Chairman.

The Committee on Natural Gas made the following report:

MR. PRESIDENT :

Your Committee on Natural Gas, to which was referred Senate Bill No. 98, begs leave to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

LA FOLLETTE,  
Chairman.

The Committee on Finance made the following report:

MR. PRESIDENT :

Your Committee on Finance, to which was referred House Bill No. 68, introduced by Mr. Newhouse, begs leave to report the same back to the Senate with the recommendation that the same be printed.

HAGGARD,  
Chairman.

The Committee on Judiciary made the following report:

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred House Bill No. 638, introduced by Mr. Howe, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

The Committee on Insurance made the following report :

**MR. PRESIDENT :**

Your Committee on Insurance, to which was referred House Bill No. 305, introduced by Representative Hamrick, report that after considering the same it recommends that section two (2) be amended by striking out the word "two (2)," line sixteen (16), and inserting in lieu thereof the word "ten (10)," and by inserting the word "twenty" after the word "of," and the word "five" in line twenty-two (22), and by adding to section three the following :

Said Secretary shall also file a copy of such statement with the Auditor of State, for which the Auditor of State shall charge and collect a fee of five dollars. Said Auditor of State shall have the power at any time to make an examination of the affairs of such company, and the books thereof, and if he shall deem it necessary for the protection of the stockholders, shall have the power to compel the Secretary and Treasurer to file additional bonds in such sums as he shall deem necessary. And said Auditor of State shall have the power of supervision and suspension as now provided by law, for regulating other insurance companies doing business in this State. And that when so amended that the same do pass.

O. A. BAKER,  
Chairman.

The Committee on Judiciary made the following report :

**MR. PRESIDENT :**

Your Judiciary Committee asks leave to submit the following report, to wit :

It has unreported House Bills Nos. 526, 364, 232, 318, 131, 489, 76, 369, 472, 216, 638, 498, 140, 68, 313, 243, 424, 219, 41, 629 ; Senate Bills Nos. 374, 483, 239, 236, 230, 278 and 94, and Senate Resolution introduced by Senator Wishard.

Some of these bills and this resolution have been examined by the committee. Upon some of them reports have been prepared, but since said bills and resolution were received the Senate has been following the regular order in the consideration of bills on third reading, and has been waiting a disposition of special orders, so that it has not been possible for our

committee to make to the Senate reports upon said bills and said resolution. Then again the Lieutenant-Governor, in the exercise of his constitutional prerogative, has held and announced to the Senate that no bills can be passed on this day.

Your committee, therefore, asks leave to report back said bills and said resolution, and requests that the same be filed and that the committee be relieved of any further consideration of said bills and resolution.

L. P. NEWBY,  
J. J. M. LAFOLLETTE,  
O. N. CRANOR,  
L. W. VAIL,  
CHAS. E. SHIVELEY,  
JOHN W. KERN,  
SAMUEL PARKER.

The Committee on Judiciary made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred House Bill No. 424, introduced by Mr. Griffin, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

The Committee on Judiciary made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred House Bill No. 216, introduced by Mr. Cardwell, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

The Committee on Judiciary made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred House Bill No. 248, introduced by Mr. Longwell, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.



The Committee on Judiciary made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred House Bill No. 629, introduced by Mr. Robinson, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

The Committee on Judiciary made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred House Bill No. 41, introduced by Mr. Coats, begs leave to report the same back to the Senate with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

The Committee on Judiciary made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred House Bill No. 818, introduced by Mr. Leedy, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

The Committee on Judiciary made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred House Bill No. 219, introduced by Mr. Fowler, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

The Committee on Judiciary made the following reports :

MR. PRESIDENT :

A majority of your Committee on Judiciary, to which was referred House Bill No. 68, introduced by Mr. Newhouse, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

O. N. CRANOR,  
SAMUEL PARKER,  
CHAS. E. SHIVELEY,  
L. P. NEWBY.

MR. PRESIDENT :

A minority of your Committee on Judiciary, to which was referred House Bill No. 68, introduced by Mr. Newhouse, begs leave to report the same back to the Senate, with the recommendation that further consideration of said bill be indefinitely postponed.

L. W. VAIL,  
J. J. M. LAFOLLETTE,  
JNO. W. KERN.

The Committee on Labor and Labor Statistics made the following report :

MR. PRESIDENT :

Your Committee on Labor and Labor Statistics, to which was referred Senate Bill No. 409, introduced by Senator Wisard, begs leave to report the same back to the Senate, with the recommendation that it do pass.

THOS. K. MULL,  
Chairman.

The Committee on Judiciary made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to which was referred House Bill No. 498, introduced by Mr. Remington, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

L. P. NEWBY,  
Chairman.

The Committee on Labor made the following report:

MR. PRESIDENT:

Your Committee on Labor and Labor Statistics, to which was referred House Bill No. 431, introduced by Mr. O'Brien, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

THOS. K. MULL,  
Chairman.

The Committee on Labor and Labor Statistics made the following report:

MR. PRESIDENT:

The Committee on Labor and Labor Statistics, to which was referred House Bill No. 145, introduced by Mr. Lambert, begs leave to report the same back to the Senate, with the recommendation that it do pass.

THOS. K. MULL,  
Chairman.

The Committee on Natural Gas made the following report:

MR. PRESIDENT:

Your Committee on Natural Gas, to which was referred Senate Bill No. 127, introduced by Senator Gifford, has had the same under consideration, and recommend that the same do pass.

J. J. M. LAFOLLETTE,  
Chairman.

The Committee on Insurance made the following reports:

MR. PRESIDENT:

A majority of your Committee on Insurance, to whom was referred Senate Bill No. 621, introduced by Senator Sweeney, begs leave to report the same back to the Senate, with the recommendation that the further consideration of the same be indefinitely postponed.

O. A. BAKER,  
Chairman.

MR. PRESIDENT:

The minority of your Committee on Insurance, to which was referred Senate Bill No. 621, respectfully report that they have had the same under consideration, and recommend that said bill do pass.

A. F. WRAY.

The Committee on Agriculture made the following report:

MR. PRESIDENT:

Your Committee on Agriculture, to which was referred House Bill No. 387, introduced by Mr. Remington, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

HOLLER,  
Chairman.

The Committee on Corporations made the following report:

MR. PRESIDENT:

Your Committee on Corporations, to which was referred Senate Bill No. 477, introduced by Senator Sweeney, begs leave to report the same back to the Senate, with the recommendation that the words "under the laws of this State," following the word "organized" in line two of section one, be stricken out.

Also that the words "organized under the laws of this State," following the word corporation in line one of section two, be stricken out, and that when the same is so amended that the same do pass.

BOORD,  
Chairman.

The Committee on Elections made the following report:

MR. PRESIDENT:

Your Committee on Elections, to which was referred the resolution introduced by Senator McLean, requesting that said committee examine into and report upon the expediency of more rigorous statutory enactments against the corrupt use of money in elections, begs leave to report that Senate Bill No.

117, passed by this Senate at the present session, covers the subject matter of the resolution so completely that your committee deems it unnecessary to further inquire into the matter.

HOUGHTON,  
Chairman.

The Committee on Agriculture made the following report :

MR. PRESIDENT :

Your Committee on Agriculture, to which was referred House Bill No. 582, introduced by Representative Remington, begs leave to report the same back to the Senate with the recommendation that the same do pass.

HOLLER,  
Chairman.

The Committee on Insurance made the following report :

MR. PRESIDENT :

Your Committee on Insurance, to which was referred Engrossed Bill No. 500, introduced by Mr. Allen, begs leave to report the same back to the Senate with the recommendation that the same do pass.

O. A. BAKER,  
Chairman.

The Committee on Corporations made the following report :

MR. PRESIDENT :

Your Committee on Corporations, to which was referred House Bill No. 251, introduced by Mr. Stotsenburg, begs leave to report the same back to the Senate with the recommendation that the same do pass.

BOORD,  
Chairman.

The Committee on Corporations, made the following report:

MR. PRESIDENT:

Your Committee on Corporations, to which was referred Senate Bill No. 442, introduced by Senator Wishard, begs leave to report the same back to the Senate with the recommendation that it be indefinitely postponed.

BOARD,  
Chairman.

The Committee on Corporations made the following report:

MR. PRESIDENT:

Your Committee on Corporations, to which was referred House Bill No. 615, introduced by Mr. Remy, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

BOARD,  
Chairman.

The Committee on Corporations made the following report:

MR. PRESIDENT:

Your Committee on Corporations, to which was referred Senate Bill No. 437, introduced by Senator Wishard, begs leave to report the same back to the Senate, with the recommendation that it be indefinitely postponed.

BOARD,  
Chairman.

The Committee on Organization of Courts made the following reports:

MR. PRESIDENT:

Your Committee on Organization of Courts, to which was referred Senate Bill No. 457, introduced by Senator White, begs leave to report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

CHAS E. SHIVELEY,  
Chairman.

MR. PRESIDENT :

Your Committee on Organization of Courts, to which was referred Senate Bill No. 457, introduced by Senator White, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

H. Q. HOUGHTON.

The Committee on the Organization of Courts made the following reports :

MR. PRESIDENT :

A majority of your Committee on Organization of Courts, to which was referred Senate Bill No. 447, introduced by Senator O'Brien, begs leave to report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

CHAS. E. SHIVELEY,  
ISAAC H. PHARES,  
T. E. ELLISON,  
R. F. STUART.

MR. PRESIDENT :

The minority of your Committee on Organization of Courts, to which was referred Senate Bill No. 447, introduced by Senator O'Brien, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

H. Q. HOUGHTON.

The Committee on Education made the following report :

MR. PRESIDENT :

Your Committee on Education, to which was referred House Bill No. 394, would report that for lack of time to make an investigation and report as to its merits, they report the same back without any recommendation.

H. C. DUNCAN,  
Chairman.

The Committee on Elections made the following reports:

MR. PRESIDENT:

The majority of your Committee on Elections, to which was referred Engrossed House Bill No. 632, introduced by Mr. Thomas, begs leave to report the same back to the Senate, with the recommendation that the bill do pass.

Houghton,  
Chairman.

MR. PRESIDENT:

The minority of your Committee on Elections, to which was referred Engrossed House Bill No. 632, introduced by Mr. Thomas, begs leave to report the same back to the Senate, with the recommendation that the further consideration of said bill be indefinitely postponed.

A. F. Wray,  
R. F. Stuart.

The Committee on Education made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred House Bill No. 293, would report that for lack of time to make an investigation and report as to its merits, they report the same back without any recommendation.

H. C. Duncan,  
Chairman.

The Committee on Education made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred a resolution concerning school books, introduced by Senator LaFollette, but without number, report that parties interested were desirous of a hearing; that a time was set for the same, but on account of previous engagements of both the committee and persons interested in the same, the matter was never heard, and it was therefore reported back without recommendation.

H. C. Duncan,  
Chairman.



The Committee on Elections made the following report :

**MR. PRESIDENT :**

Your Committee on Elections, to which was referred House Bill No. 505, introduced by Mr. McCaskey, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

HOUGHTON,  
Chairman.

The Committee on Elections made the following report :

**MR. PRESIDENT :**

Your Committee on Elections, to which was referred back Senate Bill No. 118, begs leave to report the same back to the Senate with the recommendation that the bill do pass as originally drawn.

HOUGHTON,  
Chairman.

The Committee on Education made the following report :

**MR. PRESIDENT :**

Your Committee on Education, to which was referred House Bill No. 391, would report that for lack of time to make an investigation and report as to its merits, they report the same back without any recommendation.

H. C. DUNCAN,  
Chairman.

The Committee on Education made the following report :

**MR. PRESIDENT :**

Your Committee on Education, to which was referred Senate Bill No. 440, introduced by Senator Duncan, would report that after the same was received there was a great desire on the part of the ones interested in the bill, and certain ones who were opposed to it, to have a hearing, and which was arranged for on several occasions, but on account of other engagements of the committee the same was never considered, and they therefore report the same back without any recommendation.

H. C. DUNCAN,  
Chairman.

The Committee on Education made the following report:

MR. PRESIDENT:

Your Committee on Education, to which was referred Senate Bill No. 388, would report that for lack of time to make an investigation and report as to its merits they report the same back without any recommendation.

DUNCAN,  
Chairman.

The Committee on Benevolent Institutions made the following report:

MR. PRESIDENT:

Your Committee on Benevolent Institutions, having visited the Institution for the Deaf and Dumb, submits the following report:

The number of pupils at this institution on January 31 was 288, and the number of employes was 70. Your committee passed through the various departments and made a thorough inspection. Careful inquiries were made, also, concerning the administration of the institution, both as regards the ability and competence of the officers and employes and the matter of partisanship in appointments and discharges. We take pleasure in recommending the Superintendent, Mr. Richard O. Johnson, in the highest manner for the skill and ability which he has displayed in the selection and employment of teachers and other officers and in advancing the reputation of this institution to the front rank among similar institutions in the United States. The evidence which we received shows that the only test of fitness for appointment to positions in this institution has been based upon merit alone, and that in no degree is politics allowed to influence either the appointment, promotion or discharge of any employe.

It is a gratifying fact that of all the institutions for the deaf and dumb in the United States which exhibited at the World's Columbian Exhibition in Chicago in 1893, the Indiana institution was the only one which received an award of merit.

In May, 1894, the boys' dormitory of the institution suffered from fire, and repairs were made to the extent of \$4,336. Your committee recommends that an appropriation be made suffi-

cient to reimburse the institution for this expenditure, and that an additional appropriation of \$—— be made for the purpose of improving the boiler house and heating equipment.

THOS. E. BOYD,  
Chairman.

The Committee on Benevolent Institutions made the following report:

MR. PRESIDENT:

Your Committee on Benevolent Institutions, having visited the Institute for the Blind, submit the following report:

Members of your committee have visited this institution at various times since the convening of the General Assembly. Upon the 31st of January the number of pupils in the institution was 115 and the number of employes 38. Upon the occasion of each visit, the institution was found in perfect order and the work of educating the blind being carried on in such manner as to fit them, as far as possible, for self-support in later life. The physical property of the institution is in almost perfect condition and the sanitary conveniences and food supplies are such that the health of the pupils is generally excellent.

The Indiana Institute for the Blind ranks very high among similar institutions in sister States and in point of efficient work and progressive methods it probably can not be excelled. It is a gratifying fact that political preferences or beliefs are in nowise considered in the appointment, promotion or discharge of employes of this institution. The only requisite of eligibility is such moral and intellectual fitness as best equips an officer for the discharge of the important duties devolving upon them.

This is one of the few public institutions of the State which is not overcrowded by inmates. There are in fact accommodations for a considerable greater number of pupils than are at present in attendance. It is believed that a more general knowledge of the purposes and capacity of the school would lead to a considerable increase in its population. Such steps as are necessary to extend this knowledge should be taken.

THOS. E. BOYD,  
Chairman.

The Committee on Education made the following report :

MR. PRESIDENT :

Your Committee on Education, to which was referred Senate Bill No. 138, introduced by Senator McLean, begs leave to report that on account of another bill which was introduced in its stead the same is reported back, with the recommendation that it be indefinitely postponed.

H. C. DUNCAN,  
Chairman.

The Committee on Roads made the following report :

MR. PRESIDENT :

Your Committee on Roads, to which was referred Senate Bill No. 323, introduced by Senator Houghton, begs leave to report the same back to the Senate, with the recommendation that said bill be printed.

W. F. KERNS,  
Chairman.

The Committee on Roads made the following reports :

MR. PRESIDENT :

Your Committee on Roads, to which was referred Senate Bill No. 53, introduced by Senator McKelvey, begs leave to report the same back to the Senate, with the recommendation that the further consideration of said bill be indefinitely postponed.

W. F. KERNS,  
Chairman.

The Committee on Organization of Courts made the following report :

MR. PRESIDENT :

Your Committee on Organization of Courts, to which was referred House Bill No. 393, introduced by Mr. Pettit, would respectfully report that they have had said bill under consideration and recommend that the same do pass.

CHAS. E. SHIVELEY,  
Chairman.

MR. PRESIDENT:

Your Committee on Benevolent Institutions, having visited the Southern Hospital for the Insane at Evansville, submits the following report:

The number of patients in this institution January 31 was 434, and the number of employes was 85. An inspection showed all the buildings to be in fair condition and well cared for. Cleanliness and neatness received proper attention and all provision necessary for the health of patients and inmates seems to have been made with intelligence and care. During the last biennial period, many improvements have been made to the farm and grounds of the hospital. A sufficient water supply has been secured and various other improvements made of greater or less importance.

The conditions prevailing at this institution are in many particulars similar to those at the Eastern Hospital at Richmond. The capacity of the hospital is insufficient to accommodate the insane of the district and almost 200 suspended applications for admission are on file. While it seems impracticable at the present time to make sufficient extensions to provide for all of the insane in the district.

Your committee recommends that an appropriation of \$30,000 be made for such extensions, as will provide for the largest possible increase in capacity. A vexed problem which has existed ever since the Hospital was opened has been the matter of drainage of the institution. After prolonged negotiations it now seems probable that arrangements may be made whereby a sewer from the Hospital may be connected with the sewer system of the city of Evansville. For the purpose of carrying out this plan of drainage we recommend that an appropriation be made of \$15,000.

Several complaints of a varying character having reached your committee, a careful investigation was made in order to determine the actual facts.

An expert accountant was employed to make a thorough inspection of the books and accounts of the institution from the time it was opened for the reception of patients to the present. The report of the expert accountant employed for

this purpose is herewith appended. It is sufficient in this place to state that the books showed that they were kept in a thorough and business-like manner, easily understood, and although simple, of such a character as to place a check upon the expenditures in each department of the institution. Your committee further ascertained that the Superintendent, Dr. A. J. Thomas, is somewhat addicted to the use of intoxicating liquor, but not to such an excess as to render him unfit for the duties of his position. We would urge the Superintendent to avoid any practice which may bring reproach upon his administration or the institution of which he is in control.

This Hospital, since its opening in 1890, has been remarkably free from accidents or misfortunes of every description and the percentage of cures reported has been unusually large.

THOS. E. BOYD,  
Chairman.

The Committee on Cities and Towns made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred House Bill No. 344, introduced by Mr. Willis, begs leave to report the same back to the Senate, with the recommendation that it do pass.

JAMES O'BRIEN,  
Chairman.

The Committee on Cities and Towns made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred House Bill No. 327, introduced by Mr. Thomas, begs leave to report the same back to the Senate, with the recommendation that the same do pass.

JAMES O'BRIEN,  
Chairman.

The Committee on Swamp Lands and Drains made the following report:

MR. PRESIDENT:

Your Committee on Swamp Lands and Drains, to which was referred House Bill No. 515, introduced by Mr. Griffin, begs leave to report the same back to the Senate, with the recommendation that said bill be indefinitely postponed as unconstitutional.

T. E. ELLISON,  
JAMES O'BRIEN.

The Committee on Swamp Lands and Drains made the following report:

MR. PRESIDENT:

Your Committee on Swamp Lands and Drains, to which was referred House Bill No. 515, introduced by Mr. Griffin, begs leave to report the same back to the Senate, with the recommendation that the same be amended as follows: after the word "thereof" in line 52 add the following: "by two publications in a weekly newspaper of general circulation in the county through which such drainage extends."

ISAAC H. PHARES,  
W. F. KERNS,  
W. H. GOSTLIN,  
J. M. SELLER.

Your Committee on Cities and Towns made the following report:

MR. PRESIDENT:

The undersigned member of your Committee on Cities and Towns, to which was referred House Bill No. 578, introduced by Mr. O'Brien, begs leave to report the same back to the Senate, with the recommendation that it do pass.

JAMES O'BRIEN,  
Chairman.

The Committee on Cities and Towns made the following reports :

MR. PRESIDENT :

A majority of your Committee on Cities and Towns, to which was referred House Bill No. 559, introduced by Mr. Smith, begs leave to report the same back to the Senate, with the recommendation that it be indefinitely postponed.

JAMES O'BRIEN, Chairman,  
GIFFORD,  
SCHNECK.

A minority of your Committee on Cities and Towns, to which was referred House Bill No. 559, introduced by Mr. Smith, begs leave to report the same back to the Senate with the recommendation that the same do pass, and we join in the minority report as a matter of personal self-defense.

VAIL,  
CRANOR,  
HAGGARD.

Senator Boyd, Chairman of the Committee on Benevolent Institutions, made the following report :

MR. PRESIDENT :

Your Committee on Benevolent Institutions, having visited the Central Hospital for the Insane, at Indianapolis, herewith submits the following report :

The administration of this institution has been efficient, and the result is seen in many improvements which have been made during the last biennial period. The sanitary condition of the institution is good. Various charges which had been filed against officers by discharged employes and others were investigated, but were not sustained. The number of patients enrolled January 31 was 1,522, and the number of employes was 315. We commend the Superintendent, Dr. George F. Edenharter, as a capable and faithful officer. Inquiries made by your committee showed that a majority of the employes of the hospital are Democrats, but there was no evidence to show that any partiality or favoritism in the employment or discharge of



employees has existed because of political affiliations or beliefs. Because of the large population of this hospital and the urgent necessity of certain repairs and minor improvements, we recommend that the appropriations for maintenance, clothing and repairs be continued at the same amounts which have been set aside by preceding Legislatures for these purposes for the past twelve years.

THOS. E. BOYD,  
Chairman.

The Committee on Cities and Towns made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred House Bill No. 88, introduced by Mr. Stutesman, begs leave to report the same back to the Senate with the recommendation that the same do pass.

JAMES O'BRIEN,  
Chairman.

The Committee on Benevolent Institutions made the following report:

MR. PRESIDENT:

Your Committee on Benevolent Institutions, having visited the Northern Hospital for the Insane, at Logansport, submits the following:

The number of patients enrolled on January 31 was 542, and the number of employees was 108. The sanitary condition of the hospital was found to be excellent and the health of both patients and employees generally good. During the last biennial period the capacity of this institution has been increased by an addition of 106 beds.

This extension of capacity has been confined to the wards in which the quieter classes of patients are confined and the result has been that the wards devoted to the care of disturbed, filthy and noisy classes of patients have become overcrowded, and incapable of accommodating all those whose condition makes it important that they should be kept apart from the quieter patients.

In order to relieve this overcrowding the Superintendent, Dr. Jos. G. Rogers, has asked for an appropriation of \$20,000, with which to build annexes to the wards for disturbed male and female patients.

After careful inquiry your committee recommends that the above mentioned amount be appropriated for the purposes indicated.

We desire to commend Dr. Rogers and his management to the people of the State of Indiana, as good and efficient in every particular. All of the property under his control was in excellent condition, and in every way the administration of the institution is worthy of praise.

THOS. E. BOYD,  
Chairman.

The Committee on Organization of Courts made the following report:

MR. PRESIDENT:

Your committee, to which was referred House Bill No. 51, introduced by Mr. Wilson, would respectfully report that they have had said bill under consideration and recommend that the same do pass.

CHAS. E. SHIVELEY,  
Chairman.

Senator Boyd, Chairman of the Committee on Benevolent Institutions, made the following report:

MR. PRESIDENT:

Your Committee on Benevolent Institutions, having visited the Eastern Hospital for the Insane at Richmond, submits the following report:

The number of patients in this institution on January 31 was 458, and the number of employes was 113. The number of applications on file for the admission of patients for whom there was no room in the hospital was near 200 on the date of your committee's visit. Everything about the institution was found neat and orderly, and every possible provision had apparently been made for maintaining a high standard of sanita-

tion. The relations existing between the Superintendent and employes are of the most harmonious character, and the entire spirit of the administration was such as to deserve high commendation. We commend Dr. Smith for his faithful and efficient work.

In his report to the Legislature the Superintendent has recommended that an appropriation of \$100,000 be made for the erection of two cottages, a central dining-room and other improvements and extensions. Although the rapid growth in population of the district in which the Eastern Hospital is located has resulted in an urgent necessity for large extensions of capacity, your committee believes that because of the strained financial condition of the State the improvements and extensions asked for can not be safely provided for at this time. We recommend, however, that an appropriation of \$60,000 be made for the purpose of building and equipping a central dining-room and general kitchen. These improvements would allow the cottage dining-rooms and kitchens to be converted into dormitories sufficient for a large number of beds, and in this manner the capacity of the hospital may be much increased.

THOS. E. BOYD,

Chairman. •

The Committee on Benevolent Institutions made the following report:

MR. PRESIDENT:

Your Committee on Benevolent Institutions, having visited the Soldiers' and Sailors' Orphans' Home, submits the following report:

The number of inmates in this institution, on January 31, was 646, and the number of employes was 88. The same excellent administration which prevailed two years ago has continued during the last biennial period. The institution is in the best of condition, not only from the sanitary point of view, but also in the high standard of neatness and repair maintained in the buildings and appurtenances. This is one of the greatest of our charities, and it is conducted in every way worthy of the commendation and pride of the State of Indiana.

Some difficulty has been experienced in the past in relation to a proper and sufficient water supply, and your committee recommends that an appropriation of \$8,000 be made for the purpose of the construction of a water tower and such other equipment as may be necessary to remedy this difficulty. Small appropriations are also needed for a fence and other minor improvements.

THOS. E. BOYD,  
Chairman.

The Committee on County and Township Business made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred House Bill No. 187, introduced by Representative Fowler, begs leave to report the same back with the recommendation that the same do pass.

COLLETT,  
Chairman.

The Committee on County and Township Business made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to which was referred House Bill No. 411, introduced by Representative Smith, begs leave to report the same back with the recommendation that the same do pass.

COLLETT,  
Chairman.

The Committee on Public Printing made the following report:

MR. PRESIDENT:

Your Committee on Public Printing, to which was referred Senate Bill No. 401, introduced by Senator Phares, begs leave to report the same back to the Senate with the recommendation that the same do pass.

GEO. W. SELF,  
Chairman.

The Committee on Benevolent Institutions, to which was referred Senate Bill No. 397, introduced by Senator McCutchan, begs leave to report the same back to the Senate with the recommendation that the same do not pass.

THOS. E. BOYD,  
Chairman.

Senator McCord made the following motion :

MR. PRESIDENT :

I move to reconsider the vote by which Concurrent Resolution No. 26, introduced by Senator Phares, to turn into the Treasury of the State of Indiana, the fund left or remaining in the hands of the World's Fair Committee be reconsidered.

McCORD.

Which motion prevailed.

By unanimous consent the resolution was referred to Senators Kern and Phares for amendment.

Senators Kern and Phares reported that they had amended the engrossed copy of the resolution as directed by the Senate.

The resolution as amended was then adopted.

Senator Kern offered the following resolution, which was adopted :

*Resolved*, That the thanks of the Senate be extended to the Principal Doorkeeper and the Assistant Doorkeepers for their uniform courtesy to the members, and the fidelity with which they have individually and collectively discharged their duties.

KERN.

The following resolution was adopted :

MR. PRESIDENT :

I offer the following resolution, and move its adoption :

*Resolved*, That a vote of thanks be given W. B. Burford for the prompt and efficient manner in which he has served the Senate in the matter of performing his duties as the public printer for the State.

WRAY.

Senator Baker offered the following resolution :

MR. PRESIDENT :

I offer the following resolution, and move its adoption :

*Resolved*, That the Secretary of the Senate be directed to draw a requisition for copies of a map of the State of Indiana showing the Congressional, Senatorial and Representative Districts as apportioned by the General Assembly of 1895, to be prepared under the supervision of the Secretary of State, and by him distributed to the members of the General Assembly and the counties of the State as the Acts are distributed, on a basis of fifty copies to the county.

BAKER.

Which resolution was adopted.

Senator Shiveley moved that when the Senate adjourn it be until 10:30 o'clock this evening.

Which motion prevailed.

The President of the Senate announced that he had signed Senate Enrolled Act No. 37 and 226.

MORTIMER NYE,

President of the Senate.

The Committee on Enrolled Bills made the following report:

MR. PRESIDENT :

Your Committee on Enrolled Bills, to which was referred Senate Enrolled Bills Nos. 37 and 226, begs leave to report that they have compared the enrolled bills with the bills as passed by the Senate.

VAIL,

Chairman.

The Committee on Enrolled Bills made the following report:

MR. PRESIDENT :

Your Committee on Enrolled Bills, to which was referred Senate Enrolled Bills Nos. 149 and 147, introduced by Senators Wray and Shiveley, begs leave to report that they have compared the enrolled bills with the bills as passed by the Senate and find the same to be correct.

VAIL,

Chairman.

The President of the Senate reported that he has signed Enrolled Bills Nos. 475, 24, 302 and 346, and Senate Concurrent Resolutions Nos. 25 and 27.

The Committee on Enrolled Bills made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills, to which were referred Senate Enrolled Bills Nos. 473, 24, 302 and 346, introduced by Senators McLean, Holler, Self and Crumpacker, respectively, and also Senate Concurrent Resolutions Nos. 27 and 25, introduced by Senators Holler and Ellison, respectively, begs leave to report that they have compared the enrolled bills and resolutions with the bills and resolutions as passed by the Senate, and finds the same to be correct.

VAIL,  
Chairman.

The President of the Senate announced that he had signed Senate Joint Resolution No. 1.

The Committee on Enrolled Bills made the following report ;

MR. PRESIDENT :

Your Committee on Enrolled Bills, to which was referred Senate Joint Resolution No. 1, begs leave to report that it has compared the enrolled bill with the bill as passed by the Senate, and finds the same to be correct.

VAIL,  
Chairman.

The President of the Senate announced that he had signed Senate Enrolled Bills Nos. 147 and 149.

Senator Vail, Chairman of the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills, to which was referred Senate Enrolled Bills Nos. 37 and 226, begs leave to report that they have compared the enrolled bills with the bills as passed by the Senate, and find the same to be correct.

VAIL,  
Chairman.

The President of the Senate announced that he had signed Enrolled Bills Nos. 87 and 226.

Senator Vail, Chairman of the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills, to whom was referred Senate Enrolled Bill No. 226, introduced by Senator Newby, begs leave to report that they have compared the enrolled bill with the bill as passed by the Senate and find the same to be correct.

VAIL,  
Chairman.

The President of the Senate reported that he had signed Senate Enrolled Bill No. 226.

Senator Seller moved to adjourn.

Which motion prevailed.

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## MONDAY EVENING.

MARCH 11, 1895.

The Senate reconvened at 10:30 P. M. with President *Pro Tem*. Newby in the chair.

The following message was received from the Governor :

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has signed Enrolled Senate Bills No. 29, an act in relation to railroad companies; Senate Bill No. 59, an act pertaining to money or property donated for benevolent purposes; Senate Bill No. 97, an act establishing meridian lines in certain cases; Senate Bill No. 118, an act concerning proceedings in civil cases; Senate Bill No. 148, an act concerning construction of water works; Senate Bill No. 149, an act concerning ex-union soldiers and sailors; Senate Bill No. 177, an act concerning proceedings in civil cases; Senate Bill No. 226, an act pertaining to persons receiving aid from public funds; Senate Bill



No. 250, an act concerning libraries; Senate Bill No. 266, an act in relation to incorporation of cities; Senate Bill No. 338, an act concerning proceedings in criminal cases; Senate Bill No. 392, an act to legalize proceedings of the town of Warren; Senate Bill No. 444, an act concerning cemeteries; Concurrent Resolution No. 25.

Respectfully,

MYRON D. KING,  
Private Secretary.

Senator Stuart offered the following resolution:

MR. PRESIDENT:

I offer the following resolution and move its adoption:

*Resolved*, That the thanks of the Senate are due the several representatives of the press for the uniformly fair and comprehensive reports of the proceedings of this body, to their several journals, and we hereby extend to them our grateful appreciation of the many kindnesses received at their hands.

STUART.

Which resolution was adopted.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution No. 26, as amended, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

House amendments to Senate Concurrent Resolution No. 26, as follows:

MR. SPEAKER:

Your special committee, to which was referred Senate Concurrent Resolution No. 26, would respectfully report that we have had the same under consideration, and beg leave to submit the following substitute for said resolution, and recommend that such substitute be adopted:

WHEREAS, There is now in the hands of the Board of Managers of Indiana for the Columbian Exposition held in Chicago

in the year 1893, certain sums, the precise amounts of which are unknown and undetermined because of final settlement and accounting not yet having been made; and

WHEREAS, Other of the States are publishing souvenirs which in the matter of exchanges between States will necessitate an expense to be borne by said Board; therefore, be it

*Resolved*, That the Board of Managers of Indiana for the Columbian Exposition, held at Chicago in the year 1893, be and they are hereby directed to pay to J. L. Campbell, President of said Board, one hundred dollars, to be by him used, so far as need be, in payment of the incidental expenses connected with the exchanges between States of published State souvenirs, and at the end of six months from the passage of these resolutions, he shall pay to the Treasurer of State any balance of said one hundred dollars, remaining in his hands unexpended, taking a receipt therefor from said Treasurer and filing the same with the Auditor of State. Be it further

*Resolved*, That said Board of Managers of said Columbian Exposition are hereby directed, immediately upon the passage of these resolutions, to pay to the Treasurer of State out of any moneys in their hands, the sum of two thousand dollars, taking his receipt therefor, which shall also be filed with the Auditor of State, and that the Treasurer of State shall pay said sum of two thousand dollars to Charles R. Williams, editor of the Indianapolis News, for the purchase of a silver service and library for the battleship "Indiana," whenever that sum will be sufficient with the amount otherwise collected by said Williams, to complete the purchase price thereof, of eight thousand dollars. And be it further

*Resolved*, That nothing contained in these resolutions shall be construed as a recognition of any specific balance in the hands of said Board of Managers, nor shall the same be construed as a declaration of the amount of such balance, or as a final settlement thereof on the part of the State of Indiana.

Respectfully submitted,

HENRY C. PETTIT,  
W. D. ROBINSON,  
JAMES F. STUTESMAN,  
Committee.

Which amendments were concurred in.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Concurrent Resolutions Nos. 12 and 18, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

House Concurrent Resolution No. 12:

WHEREAS, Julius R. Fredrick, an honored citizen of Indiana, who served over ten years in the United States Army and who closed such service in a scientific undertaking commanded by Lieutenant Greely in the Arctic Ocean, and is one of the six survivors of the heroic American explorer, who bore the Stars and Stripes farther north in that perilous sea than the national colors of any other people had ever been borne; and

WHEREAS, Others of the true-hearted and patriotic survivors of that historic expedition have been recognized, honored and advanced in position; and

WHEREAS, His record shows that he has always been faithful in the discharge of his duties as a brave and trustful American citizen; therefore be it

*Resolved by the House of Representatives of the State of Indiana the Senate concurring,* That our Senators and Representatives in Congress be and are requested to use their influence and votes to secure the passage of an act of Congress to place upon the retired list of the army of the United States, with the rank of second lieutenant, Sergeant Julius R. Fredrick as a fitting recognition of his patriotic service in bearing our national banner in advance of the colors of any of the sixteen civilized nations of the world, who have risked their ships and the lives of their seamen in search of a northwest passage to the north pole.

Which resolution was adopted.

## House Concurrent Resolution No. 13 :

*Resolved by the House of Representatives, the Senate concurring,*  
That the Custodian, or Superintendent, of the State House be and is hereby requested to furnish a suitable room, immediately, in the State House, for the use of the Mineral Oil Inspector.

Senator Kerns moved to reconsider the vote by which Engrossed House Bill No. 628 was indefinitely postponed.

Senator Cranor rose to a point of order, insisting that a motion to postpone can not be reconsidered.

The Chair ruled that the point was not well taken.

Senator Cranor appealed from the decision of the Chair.

The question being, Shall the decision of the Chair stand as the decision of the Senate?

Those voting in the affirmative were :

Senators Alexander, Bethell, Boord, Bozeman, Collett, Crum-  
packer, Duncan, Ellison, Gifford, Gostlin, Haggard, Holler,  
Houghton, Humphreys, Kern of Marion, Kerns of Vermillion,  
LaFollette, McCord, McCutchan, McKelvey, McManus, Mull,  
Parker, Phares, Schneck, Self, Seller, Stuart, Sweeney, Vail,  
Watson, White, Wray. Total, 33.

Those voting in the negative were :

Senators Baker, Barnes, Bird, Cranor, Crumpacker, Duncan,  
Johnston, Leyden, McDonald, Manwaring, O'Brien. Total, 11.

So the decision of the Chair was sustained.

The question being, Shall the vote be reconsidered ?

Which question was lost.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 475, and the same is herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Senator McCutchan offered the following resolution :

**MR. PRESIDENT :**

On behalf of the majority, I move that we extend to the minority and the Governor, our thanks for their assistance in passing the Nicholson Bill, and especially to Senator Kern of Marion, for his drug store amendment to said bill and which he failed to honor by his affirmative vote.

McCUTCHAN.

Which resolution was adopted.

The following message was received from the House :

**MR. PRESIDENT :**

I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolutions Nos. 25 and 27, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

The following message was received from the House :

**MR. PRESIDENT :**

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 302 and Senate Concurrent Resolution No. 2, and the same are herewith transmitted for the action of the Senate.

R. A. BROWN,  
Clerk.

Senator Boyd offered the following resolution :

**MR. PRESIDENT :**

*Be it resolved*, That it is the sense of this Senate that the necessary steps should be taken to change the Constitution to the end that more time should be given the General Assembly of Indiana to transact the business of the State; that the great State of Indiana has in all her great commercial interests out-grown our Constitution, now more than forty years old; and that the business of the State can not and does not receive proper consideration in sixty days.

BOYD.

Which resolution was adopted.

Senator Kern moved that the vote by which this resolution was adopted be reconsidered.

Senators Kern and Parker demanded the ayes and noes.

Those voting in the affirmative were:

Senators Alexander, Baker, Beck, Bethell, Bird, Boord, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Holler, Houghton, Kerns of Vermillion, LaFollette, McCord, McCutchan, McKelvey, McManus, Manwaring, Mull, O'Brien, Schneck, Self, Seller. Total, 26.

Those voting in the negative were:

Senators Barnes, Boyd, Bozeman, Gostlin, Haggard, Humphreys, Johnston, Kern of Marion, McDonald, McHugh, McLean, Newby, Parker, Phares, Rinear. Total, 15.

So the motion prevailed.

The Committee on Enrolled Bills made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills, to which was referred Senate Concurrent Resolution No. 25, introduced by Senator Ellison, begs leave to report that they have compared the enrolled bill with the bill as passed by the Senate and find the same to be correct.

VAIL,  
Chairman.

The President of the Senate reported that he had signed Senate Concurrent Resolution No. 25.

The Joint Committee on State Library made the following report:

*To the General Assembly of the State of Indiana:*

Your Committee on State Library respectfully report that they have examined the condition of the State Library as required by law, and found that the shelving and furnishings are wholly inadequate to the needs and requirements of the same, that the shelves and alcoves are out of date, ill-arranged, badly lighted and much overcrowded. In many cases books stand on the shelves two and three rows deep. In other cases valuable books and manuscripts are piled on the floor because of the crowded condition of the shelves.

Realizing the situation, your committee appeared before the Ways and Means Committee and procured an allowance of four thousand dollars (\$4,000) for reshelving the Library in accordance with modern ideas.

That the bill giving the control of the Library to the State Board of Education, passed at the present term, will result in great good to the Library.

Your committee also finds that the appropriation for books is too small, and recommend an increase of the same.

Your committee in closing this report, takes pleasure in indorsing the administration of the present Librarian. During her long service as Assistant and Principal Librarian, Miss Ahern has been untiring and intelligent in her efforts for the Library and has brought it up to as high a standard of excellence as was possible, considering the very small amount of money appropriated from time to time for the Library.

Respectfully,

GEO. B. CARDWILL,  
Chairman House Committee.

W. E. McCORD,  
Chairman Senate Committee.

Which report was concurred in.

The Committee on Enrolled Acts made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Acts reports that it has examined and compared Enrolled Senate Concurrent Resolution No. 26 with the engrossed copy and find the same correct.

VAIL,  
Chairman.

The following report was made by the President of the Senate *pro tem* :

*To the Senate :*

I have signed Enrolled Senate Concurrent Resolution No. 26 and Enrolled House Joint Resolution No. 3.

L. P. NEWBY,  
President of the Senate *pro tem*.

*To the Senate of the General Assembly:*

In obedience to the law, the undersigned submits a detailed report of the warrants drawn by him during the session in favor of members, officers and employes, showing the number of warrants drawn, the amount of each warrant and to whom payable; also the number of warrants drawn and to whom payable, as directed by resolutions:

**ALEXANDER, FRANCIS M.—**

January 18, 1895, mileage, No. 2 .....	\$36 00
January 25, 1895, per diem, No. 119 .....	96 00
February 18, 1895, per diem, No. 862 .....	54 00
March 1, 1895, per diem, No. 462 .....	60 00
March 11, 1895, per diem, No. 535 .....	156 00
Total .....	<u>\$402 00</u>

**BAKER, OSCAR A.—**

January 18, 1895, mileage, No. 3 .....	\$28 00
January 18, 1895, per diem, No. 53 .....	54 00
February 11, 1895, per diem, No. 296 .....	12 00
February 27, 1895, per diem, No. 443 .....	228 00
March 11, 1895, per diem, No. 536 .....	72 00
Total .....	<u>\$394 00</u>

**BARNES, WILLIS L.—**

January 18, 1895, mileage, No. 4 .....	\$48 80
February 15, 1895, per diem, No. 818 .....	60 00
March 2, 1895, per diem, No. 470 .....	102 00
March 11, 1895, per diem, No. 537 .....	204 00
Total .....	<u>\$414 80</u>

**BECK, JAMES M.—**

January 18, 1895, mileage, No. 5 .....	\$36 00
January 18, 1895, per diem, No. 50 .....	54 00
January 30, 1895, per diem, No. 178 .....	24 00
February 6, 1895, per diem, No. 239 .....	90 00
February 19, 1895, per diem, No. 366 .....	12 00
February 26, 1895, per diem, No. 429 .....	60 00
March 11, 1895, per diem, No. 538 .....	126 00
Total .....	<u>\$402 00</u>



**BETHELL, WILLIAM J.—**

January 18, 1895, mileage, No. 6 .....	\$60 00
February 5, 1895, per diem, No. 233 .....	162 00
February 15, 1895, per diem, No. 306 .....	60 00
February 26, 1895, per diem, No. 440.....	66 00
March 11, 1895, per diem, No. 539.....	78 00
<b>Total .....</b>	<b>\$426 00</b>

**BIRD, OEHMIG—**

January 18, 1895, mileage, No. 7.....	\$54 80
January 18, 1895, per diem, No. 51 .....	54 00
February 4, 1895, per diem, No. 229 .....	102 00
February 20, 1895, per diem, No. 367 .....	96 00
March 11, 1895, per diem, No. 540.....	114 00
<b>Total .....</b>	<b>\$420 80</b>

**BOORD, FRED.—**

January 18, 1895, mileage, No. 8 .....	\$30 00
January 24, 1895, per diem, No. 112 .....	84 00
February 5, 1895, per diem, No. 234 .....	78 00
March, 2, 1895, per diem, No. 472 .....	24 00
March 11, 1895, per diem, No. 541.....	180 00
<b>Total .....</b>	<b>\$396 00</b>

**BOYD, THOMAS E.—**

January 18, 1895, mileage, No. 9.....	\$8 80
January 22, 1895, per diem, No. 98.....	72 00
January 30, 1895, per diem, No. 172 .....	54 00
February 11, 1895, per diem, No. 297 .....	72 00
February 20, 1895, per diem, No. 369 .....	54 00
March 2, 1895, per diem, No. 468.....	60 00
March 11, 1895, per diem, No. 542.....	54 00
<b>Total .....</b>	<b>\$374 80</b>

**BOZEMAN, VIRGIL P.—**

January 18, 1895, mileage, No. 10.....	\$74 00
March 2, 1895, per diem, No. 471 .....	102 00
March 11, 1895, per diem, No. 543.....	264 00
<b>Total .....</b>	<b>\$440 00</b>

**COLLETT, MARCUS W.—**

January 18, 1895, mileage, No. 11 .....	\$30 00
February 26, 1895, per diem, No. 428 .....	102 00
March 11, 1895, per diem, No. 544.....	264 00
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Total .....	\$396 00

**CRANOR, OZRO N.—**

January 18, 1895, mileage, No. 12 .....	\$22 00
January 18, 1895, per diem, No. 56 .....	54 00
January 25, 1895, per diem, No. 124 .....	42 00
March 4, 1895, per diem, No. 522.....	228 00
March 11, 1895, per diem, No. 545.....	42 00
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Total .....	\$388 00

**CRUMPACKER, J. W.—**

January 18, 1895, mileage, No. 13 .....	\$60 00
January 18, 1895, per diem, No. 49 .....	54 00
January 25, 1895, per diem, No. 122.....	42 00
February 7, 1895, per diem, No. 248 .....	78 00
March 11, 1895, per diem, No. 546.....	192 00
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Total .....	\$426 00

**DUNCAN, HENRY C.—**

January 18, 1895, mileage, No. 14 .....	\$32 40
February 27, 1895, per diem, No. 441 .....	24 00
March 11, 1895, per diem, No. 547.....	342 00
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Total .....	\$398 40

**ELLISON, THOMAS E.—**

January 18, 1895, mileage, No. 15 .....	\$54 80
February 6, 1895, per diem, No. 285 .....	168 00
February 22, 1895, per diem, No. 375 .....	96 00
March 2, 1895, per diem, No. 473 .....	48 00
March 11, 1895, per diem, No. 548 .....	54 00
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Total .....	\$420 80

## GIFFORD, GEO. H.—

January 18, 1895, mileage, No. 16 .....	\$15 60
January 18, 1895, per diem, No. 59 .....	54 00
February 6, 1895, per diem, No. 237 .....	114 00
February 15, 1895, per diem, No. 307 .....	54 00
March 2, 1895, per diem, No. 474.....	90 00
March 11, 1895, per diem, No. 549.....	54 00
Total .....	<u>\$381 60</u>

## GOSTLIN, WILLIAM H.—

January 18, 1895, mileage, No. 17 .....	\$62 00
February 1, 1895, per diem, No. 198 .....	188 00
February 16, 1895, per diem, No. 314 .....	90 00
March 11, 1895, per diem, No. 550.....	188 00
Total .....	<u>\$428 00</u>

## HAGGARD, WILLIAM S.—

January 18, 1895, mileage, No. 18 .....	\$26 00
January 18, 1895, per diem, No. 54.....	54 00
February 1, 1895, per diem, No. 228 .....	84 00
February 8, 1895, per diem, No. 250 .....	42 00
February 22, 1895, per diem, No. 374 .....	84 00
March 1, 1895, per diem, No. 467.....	42 00
March 11, 1895, per diem, No. 551.....	60 00
Total .....	<u>\$392 00</u>

## HOLLER, CHRISTIAN—

January 18, 1895, mileage, No. 19 .....	\$65 60
February 15, 1895, per diem, No. 312.....	60 00
March 11, 1895, per diem, No. 552.....	306 00
Total .....	<u>\$431 60</u>

## HOUGHTON, H. Q.—

January 18, 1895, mileage, No. 20 .....	\$49 60
January 25, 1895, per diem, No. 123 .....	36 00
February 23, 1895, per diem, No. 378.....	54 00
March 11, 1895, per diem, No. 553.....	276 00
Total .....	<u>\$415 60</u>

**HUMPHREYS, ANDREW—**

January 18, 1895, mileage, No. 21 .....	\$34 40
February 7, 1895, per diem, No. 242 .....	42 00
March 2, 1895, per diem, No. 459.....	72 00
March 11, 1895, per diem, No. 554.....	252 00
Total .....	<u>\$400 40</u>

**JOHNSTON, COLUMBUS—**

January 18, 1895, mileage, No. 22.....	\$40 80
January 31, 1895, per diem, No. 175 .....	132 00
February 14, 1895, per diem, No. 305.....	42 00
March 11, 1895, per diem, No. 555.....	192 00
Total. . .....	<u>\$406 80</u>

**KERN, JOHN W.—**

January 28, 1895, per diem, No. 170 .....	\$114 00
March 11, 1895, per diem, No. 556.....	252 00
Total .....	<u>\$366 40</u>

**KERNS, WILLIAM F.—**

January 18, 1895, mileage, No. 23.....	\$80 40
March 11, 1895, per diem, No. 557.....	366 00
Total .....	<u>\$396 40</u>

**LAFOLLETTE, J. J. M.—**

January 18, 1895, mileage, No. 24 .....	\$40 00
March 11, 1895, per diem, No. 558.....	366 00
Total.....	<u>\$406 00</u>

**LEYDEN, ISAAC P.—**

January 18, 1895, mileage, No. 25.....	\$46 40
February 7, 1895, per diem, No. 240 .....	174 00
February 18, 1895, per diem, No. 361 .....	66 00
March 11, 1895, per diem, No. 532 .....	126 00
Total .....	<u>\$412 40</u>

**McCORD, WILLIAM E.—**

January 18, 1895, mileage, No. 26 .....	\$12 40
January 24, 1895, per diem, No. 113 .....	60 00
February 5, 1895, per diem, No. 232 .....	60 00
February 13, 1895, per diem, No. 302 .....	60 00
February 20, 1895, per diem, No. 370 .....	60 00
March 11, 1895, per diem, No. 559 .....	126 00
<b>Total .....</b>	<b>\$378 40</b>

**McCUTCHAN, ANDREW J.—**

January 18, 1895, mileage, No. 27 .....	\$72 80
January 25, 1895, per diem, No. 116 .....	96 00
February 1, 1895, per diem, No. 227 .....	24 00
February 7, 1895, per diem, No. 241 .....	12 00
February 15, 1895, per diem, No. 309 .....	12 00
February 19, 1895, per diem, No. 363 .....	12 00
February 19, 1895, per diem, No. 364 .....	54 00
March 1, 1895, per diem, No. 461 .....	12 00
March 7, 1895, per diem, No. 530 .....	12 00
March 11, 1895, per diem, No. 560 .....	132 00
<b>Total .....</b>	<b>\$438 80</b>

**McDONALD, JAMES E.—**

January 18, 1895, mileage, No. 23 .....	\$70 40
February 5, 1895, per diem, No. 231 .....	162 00
March 11, 1895, per diem, No. 561 .....	204 00
<b>Total .....</b>	<b>\$436 40</b>

**McHUGH, JAMES F.—**

March 11, 1895, per diem, No. 562 .....	\$366 00
<b>Total .....</b>	<b>\$366 00</b>

**McKELVEY, SAMUEL R.—**

January 18, 1895, mileage, No. 29 .....	\$24 00
January 18, 1895, per diem, No. 48 .....	54 00
January 31, 1895, per diem, No. 174.....	78 00
February 12, 1895, per diem, No. 300 .....	72 00
February 23, 1895, per diem, No. 377 .....	66 00
February 28, 1895, per diem, No. 448 .....	30 00
March 11, 1895, per diem, No. 563.....	66 00
Total .....	<hr/> \$390 00

**McLEAN, WILLIAM E.—**

January 18, 1895, mileage, No. 30.....	\$29 60
February 4, 1895, per diem, No. 230.....	156 00
February 25, 1895, per diem, No. 427.....	126 00
March, 11, 1895, per diem, No. 564.....	84 00
Total .....	<hr/> \$395 60

**McMANUS, SILAS B.—**

January 18, 1895, mileage, No. 31.....	\$72 40
January 23, 1895, per diem, No. 107.....	84 00
February 6, 1895, per diem, No. 236.....	84 00
February 28, 1895, per diem, No. 447.....	182 00
March 11, 1895, per diem, No. 565.....	66 00
Total .....	<hr/> \$488 40

**MANWARING, A. C.—**

February 23, 1895, mileage, No. 430.....	\$56 00
March 11, 1895, per diem, No. 567.....	108 00
Total .....	<hr/> \$164 00

**MULL, THOMAS K.—**

January 18, 1895, mileage, No. 82.....	\$14 00
February 12, 1895, per diem, No. 301.....	150 00
March 11, 1895, per diem, No. 566.....	216 00
Total .....	<hr/> \$380 00

## NEWBY, L. P.—

January 18, 1895, mileage, No. 33.....	\$14 00
March 11, 1895, per diem, No. 568.....	366 00
Total .....	<u>\$380 00</u>

## O'BRIEN, JAMES.—

January 18, 1895, mileage, No. 34.....	\$22 00
January 25, 1895, per diem, No. 125.....	96 00
February 15, 1895, per diem, No. 311.....	126 00
March 11, 1895, per diem, No. 569.....	144 00
Total .....	<u>\$388 00</u>

## PARKER, SAMUEL.—

January 18, 1895, mileage, No. 35.....	\$50 40
February 8, 1895, per diem, No. 248.....	180 00
February 14, 1895, per diem, No. 303.....	36 00
February 22, 1895, per diem, No. 371.....	48 00
March 11, 1895, per diem, No. 570.....	102 00
Total .....	<u>\$416 40</u>

## PHARES, ISAAC H.—

January 18, 1895, mileage, No. 36.....	\$37 60
February 1, 1895, per diem, No. 206.....	96 00
February 22, 1895, per diem, No. 373.....	36 00
March 11, 1895, per diem, No. 571.....	234 00
Total .....	<u>\$403 60</u>

## RINEAR, JOHN W.—

January 18, 1895, mileage, No. 37.....	\$44 00
January 23, 1895, per diem, No. 106.....	84 00
March 11, 1895, per diem, No. 572.....	282 00
Total .....	<u>\$410 00</u>

**SCHNECK, LOUIS—**

January 18, 1895, mileage, No. 88 .....	\$24 00
March 11, 1895, per diem, No. 573.....	366 00
<hr/>	
Total .....	\$390 00

**SELF, GEORGE W.—**

January 18, 1895, mileage, No. 39.....	\$54 00
February 12, 1895, per diem, No. 299 .....	54 00
March 1, 1895, per diem, No. 465.....	96 00
March 11, 1895, per diem, No. 574.....	216 00
<hr/>	
Total .....	\$420 00

**SELLER, JAMES M.—**

January 18, 1895, mileage, No. 40 .....	\$18 40
January 18, 1895, per diem, No. 55 .....	54 00
January 25, 1895, per diem, No. 118 .....	42 00
February 1, 1895, per diem, No. 213.....	42 00
February 8, 1895, per diem, No. 249 .....	42 00
February 25, 1895, per diem, No. 426.....	60 00
March 11, 1895, per diem, No. 575.....	126 00
<hr/>	
Total ... ..	\$384 40

**SHIVELEY, CHARLES E.—**

January 18, 1895, mileage, No. 41.....	\$28 00
March 11, 1895, per diem, No. 576.....	366 00
<hr/>	
Total .....	\$394 00

**STUART, ROMUS F.—**

January 24, 1895, per diem, No. 115 .....	\$90 00
February 14, 1895, per diem, No. 304.....	60 00
February 27, 1895, per diem, No. 442 .....	54 00
March 11, 1895, per diem, No. 577.....	162 00
<hr/>	
Total .....	\$366 00



**SWEENEY, MICHAEL A.—**

January 18, 1895, mileage, No. 42 .....	\$82 00
January 24, 1895, per diem, No. 114 .....	90 00
February 4, 1895, per diem, No. 197 .....	48 00
February 15, 1895, per diem, No. 310.. .....	48 00
February 28, 1895, per diem, No. 449 .....	48 00
March 11, 1895, per diem, No. 578.....	182 00
<hr/>	
Total.....	\$448 00

**THAYER, JOHN D.—**

January 18, 1895, mileage, No. 43 .....	\$50 00
January 22, 1895, per diem, No. 96 .....	72 00
March 11, 1895, per diem, No. 579.....	42 00
<hr/>	
Total.....	\$164 00

**VAIL, LOUIS W.—**

January 18, 1895, mileage, No. 44 .....	\$60 00
January 18, 1895, per diem, No. 57 .....	54 00
February 20, 1895, per diem, No. 368 .....	198 00
March 11, 1895, per diem, No. 580.....	114 00
<hr/>	
Total.....	\$426 00

**WATSON, WARD H.—**

January 18, 1895, mileage, No. 45 .....	\$48 80
March 11, 1895, per diem, No. 581.....	366 00
<hr/>	
Total.....	\$414 80

**WHITE, JOHN T.—**

January 18, 1895, mileage, No. 46 .....	\$94 40
February 7, 1895, per diem, No. 244 .....	96 00
March 1, 1895, per diem, No. 466.....	36 00
March 11, 1895, per diem, No. 582.....	284 00
<hr/>	
Total .....	\$460 40

## WISHARD, ALBERT W.—

February 23, 1895, per diem, No. 379 .....	\$270 00
March 11, 1895, per diem, No. 583.....	96 00
Total.....	<u>\$366 00</u>

## WRAY, ALBERT F.—

January 18, 1895, mileage, No. 47 .....	\$10 80
January 24, 1895, per diem, No. 109 .....	84 00
February 12, 1895, per diem, No. 298 .....	120 00
March 11, 1895, per diem, No. 584.....	162 00
Total.....	<u>\$376 80</u>

## MORTIMER NYE, Lieutenant-Governor.—

January 18, 1895, mileage, No. 1 .....	\$60 00
January 25, 1895, per diem, No. 117 .....	128 00
February 8, 1895, per diem, No. 246 .....	112 00
February 22, 1895, per diem, No. 872 .....	112 00
March 11, 1895, per diem, No. 534.....	136 00
Total .....	<u>\$548 00</u>

Per diem of Principal Secretary.....	\$366 00
Per diem of Assistant Secretary.....	366 00
Per diem of Doorkeeper .....	366 00
Per diem of employes of Principal Secretary.....	3,050 00
Per diem of employes of Assistant Secretary.....	2,500 00
Per diem of employes of Doorkeeper .....	3,695 00
Per diem of Pages.....	732 00
Per diem of Clerks of Committees .....	2,440 00
Extra to Principal Secretary for indexing act, etc., No. 445 .....	450 00
Extra to Assistant Secretary for indexing Journal, etc., No. 446.....	500 00
Expense of Election Committee in case of Foust vs. Rinear, Nos. 432 to 439 inclusive.....	724 00
Expense of Prison Committee, Nos. 450 to 459 in- clusive.....	323 05
Expense of Committee on Benevolent Institutions Nos. 524 to 529 inclusive .....	135 95

Allowance for completing Journal Nos. 637 to 644 inclusive .....	\$205 00
Allowed by Resolutions Nos. 9, 17, 28, 30, 36 and 42 for supplies, mileage and extra allowance for employes.....	718 25
Allowance as per Senate Resolution No. 44, warrant No. 646.....	144 00

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Aggregate amount of all warrants issued.. \$87,390 65

The number of warrants, the specified amounts thereof, and to whom payable, are set forth upon the accompanying ledger kept by the Assistant Secretary of the Senate, and filed herewith with the Secretary of State.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.

The Committee on the Inspection of the Journal made the following report :

MR. PRESIDENT :

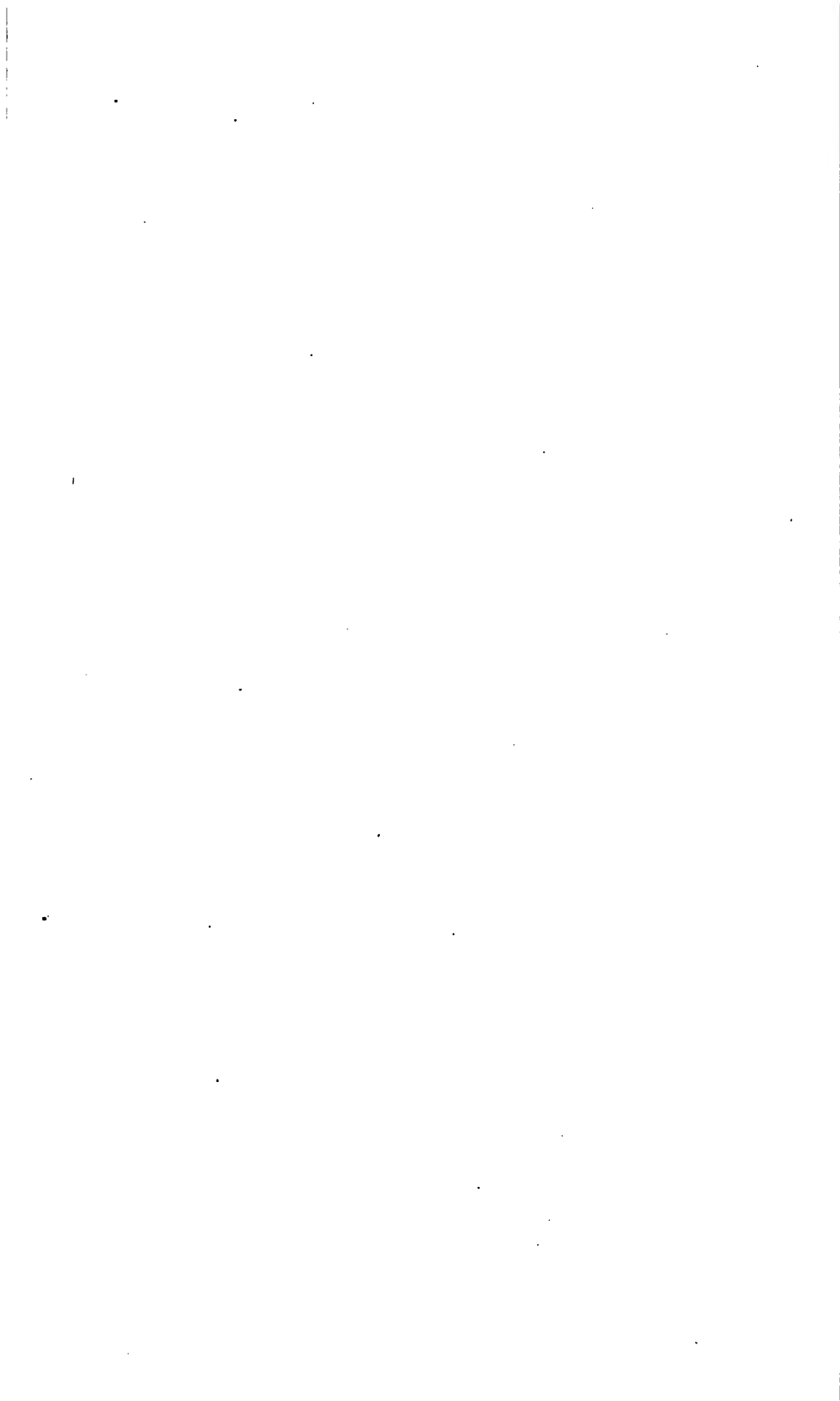
The committee appointed on Inspection of the Journal reports it has examined the same, and finds it correct.

L. P. NEWBY,  
Chairman.

The hour of 12 o'clock P. M. having arrived, the time set by the Constitution for the close of the General Assembly, Lieutenant-Governor Nye declared the Senate adjourned *sine die*.

MORTIMER NYE,  
President of the Senate.

WILLIAM S. ENNES,  
Assistant Secretary of the Senate.



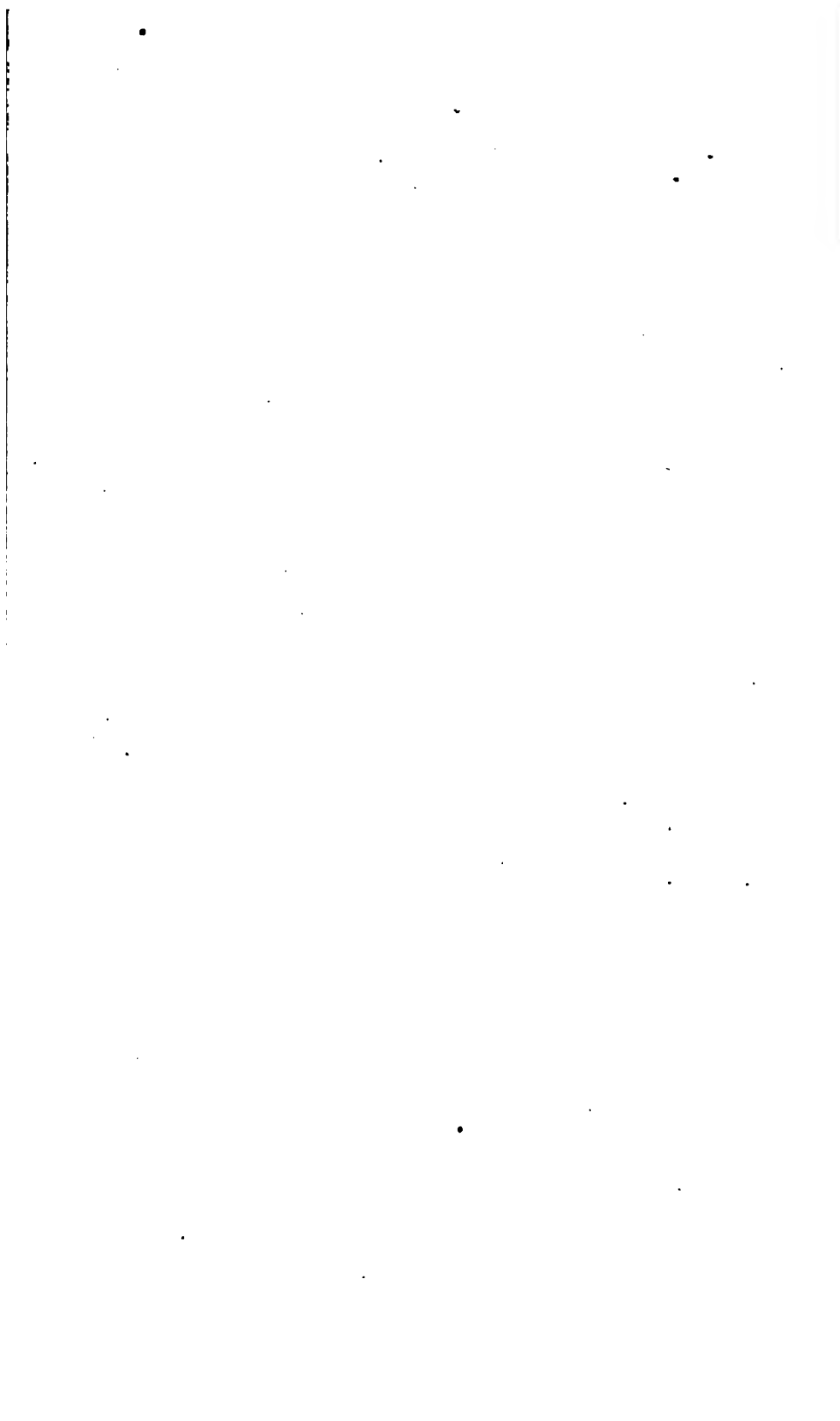
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# APPENDIX.

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Fifty-Ninth General Assembly of Indiana,

REGULAR SESSION

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# SENATE CALENDAR.

OF ALL

BILLS AND JOINT RESOLUTIONS

PENDING IN THE SENATE

AT THE

CLOSE OF THE SESSION, MARCH 11, 1895.

## OFFICERS OF SENATE.

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LIEUTENANT-GOVERNOR AND PRESIDENT OF SENATE.

MORTIMER NYE.

PRINCIPAL SECRETARY,

R. B. OGLESBEE.

ASSISTANT SECRETARY,

W. S. ENNES.

DOORKEEPER,

G. W. FAUCETT.

READING CLERK,

ROBERT S. HATCHER.

CHIEF ENGROSSING CLERK,

C. H. ALWES.

FILE CLERK,

HARRY A. STROHM.

REGISTRY CLERK,

GEO. A. DEEM.

ENDORISING CLERK,

CHAS. C. KELLEY.



ROLL CLERK,  
GEO. L. WEST.

ENGROSSING CLERKS,  
JOHN P. MARTIN,  
R. P. DRYER.

ENROLLING CLERKS,  
C. J. DAUGHERTY,  
W. H. SMITH.

MINUTE CLERK,  
JOHN A. DEEM.

PRINCIPAL JOURNAL CLERK,  
H. D. BERTSCH.

ASSISTANT JOURNAL CLERK,  
W. A. MEDSKER.

COPYING CLERKS,  
EDWARD WIDDELL, J. C. SHRODE,  
ARTHUR McFEE, A. C. WHITE,  
FRANK GIBSON.

FIRST ASSISTANT DOORKEEPER,  
WM. A. DUBOIS.

POSTMASTER SENATE,  
MILTON T. JAY.

## **SENATE STANDING COMMITTEES.**

---

### **ON FINANCE.**

**Senators Haggard, Bozeman, Holler, Gostlin, Wishard, Alexander and Leyden.**

### **ON JUDICIARY.**

**Senators Newby, Cranor, Vail, LaFollette, Shively, Parker and Kern.**

### **ON EDUCATION.**

**Senators Duncan, McCutchan, Thayer, Mull, Haggard, McLean and Gifford.**

### **ON ORGANIZATION OF COURTS.**

**Senators Shiveley, Phares, Houghton, Boord, Newby, Ellison and Stuart.**

### **ON CORPORATIONS.**

**Senators Boord, Duncan, Schneck, Kerns, McCord, Humphreys and Rinear.**

### **ON ROADS.**

**Senators Kerns, Houghton, Holler, White, Bozeman, Rinear and Bird.**

### **ON BENEVOLENT INSTITUTIONS.**

**Senators Boyd, White, Cellett, Newby, Shiveley, Parker and McLean.**

### **ON AGRICULTURE.**

**Senators Holler, Kerns, Schneck, Bethel, Mull, Bird and Beck.**

## ON BANKS.

Senators Bozeman, Mull, Phares, Thayer, Collett, McHugh and Johnston.

## ON PUBLIC PRINTING.

Senators Self, Phares, Vail, Haggard, Boord, McDonald and Seller.

## ON PUBLIC BUILDINGS AND STATE LIBRARY.

Senators McCord, Phares, Duncan, McManus, Thayer, Barnes and Beck.

## ON ELECTIONS.

Senators Houghton, LaFollette, McCord, Watson, Gostlin, Wray and Stuart.

## ON FEDERAL RELATIONS AND RIGHTS AND PRIVILEGES OF THE INHABITANTS OF THE STATE.

Senators Gostlin, O'Brien, Bethel, Crumpacker, Bozeman, Humphreys and McHugh.

## ON TEMPERANCE.

Senators Watson, Crumpacker, Bethel, Wishard, McCutchan, Leyden and Bird.

## ON COUNTY AND TOWNSHIP BUSINESS.

Senators Collett, McCord, Bethel, Boyd, Holler, McHugh and Sweeney.

## ON PUBLIC HEALTH, VITAL AND OTHER STATISTICS.

Senators Bethel, White, Holler, McManus, Schneck, McKelvey and Rinear.

## OF CLAIMS AND EXPENDITURES.

Senators Watson, Boyd, White, Thayer, Duncan, Seller and Barnes.

ON MILITARY AFFAIRS.

Senators McCutchan, Collett, Haggard, Mull, McManus, McLean and Bird.

ON PHRASEOLOGY AND ARRANGEMENT OF BILLS AND UNFINISHED BUSINESS.

Senators LaFollette, Shiveley, Newby, Houghton, Boord, Alexander and Gifford.

ON STATE PRISONS.

Senators Wishard, Watson, Schneck, Boord, Gostlin, McDonald and McKelvey.

ON SWAMP LANDS AND DRAINS.

Senators Phares, Gostlin, Holler, Kerns, O'Brien, Seller and Ellison.

ON FEES AND SALARIES.

Senators Cranor, Bozeman, Self, Duncan, Boord, Haggard, Collett, LaFollette, Baker, Humphreys, Alexander, Kern and Seller.

ON INSURANCE.

Senators Baker, Self, McCord, Boyd, White, Seller and Wray.

ON RAILROADS.

Senators Crumpacker, Boord, Mull, Watson, Baker, Wray and McDonald.

ON CITY OF INDIANAPOLIS.

Senators Wishard, Cranor, Self, Crumpacker, McHugh, Kern and Stuart

ON NATURAL GAS.

Senators LaFollette, O'Brien, Cranor, Baker, Shiveley, Rinear and McHugh.

ON REVISION OF CONSTITUTION.

Senators Baker, O'Brien, Vail, Crumpacker, Houghton, Barnes and Bird.

## ON WORLD'S FAIR.

Senators McCutchan, Sweeney, Leyden, Johnston, Duncan, Newby, McHugh, Kerns, Phares, Gostlin, Baker, McManus and Holler.

## ON MINES, MINING AND MANUFACTURES.

Senators Schneck, McCutchan, Holler, Boyd, Kerns, McKelvey and Ellison.

## ON CONGRESSIONAL APPORTIONMENT.

Senators Vail, White, Sweeney, Leyden, Mull, McCord, Cranor, Wishard, Kerns, Phares, Beck, LaFollette and McDonald.

## ON LEGISLATIVE APPORTIONMENT.

Senators Wishard, Bethel, Houghton, Leyden, Johnston, McKelvey, Shiveley, McLean, O'Brien, Gostlin, Baker, McManus and Crumpacker.

## ON SUPERVISION AND INSPECTION OF THE JOURNAL OF THE SENATE.

Senators Newby, Self, Boyd, Vail, Thayer, Gifford and Barnes.

## ON EXECUTIVE APPOINTMENTS.

Senators White, Schneck, Bozeman, McCutchan, Wishard, Ellison and Stuart.

## ON CITIES AND TOWNS.

Senators O'Brien, Schneck, Cranor, Haggard, Vail, Gifford and Sweeney.

## ON LABOR AND LABOR STATISTICS.

Senators Mull, O'Brien, Wishard, Houghton, Bethel, Parker and Beck.

## ON RULES OF THE SENATE.

Lieutenant-Governor, *ex-officio*, Senators Cranor, Newby, LaFollette, Shiveley, Watson, Kern and Alexander.

## ON SOLDIERS' AND SAILORS' MONUMENT.

Senators Boyd, Duncan, Self, McCutchan, Bozeman, Alexander and Johnston.

## **JOINT COMMITTEES.**

---

### **ON ENROLLED BILLS.**

**Senators Vail, Self and Humphreys.**

### **ON PUBLIC BUILDINGS.**

**Senators Haggard, Collett and Wray.**

### **ON STATE LIBRARY.**

**Senators McCord, McManus and Barnes.**

## BILLS PRESENTED BY

Alexander, 74, 94, 166, 167, 187, 193, 196, 222.  
 Baker, 9, 11, 12, 42, 58, 95, 96, 244, 225, 341, 362, 330, 432, 453.  
 Barnes, 97, 309, 350, 360.  
 Beck, 242, 389.  
 Bethel, 272, 273.  
 Bird, 13, 168, 169.  
 Boord, 165, 240, 391, 465.  
 Boyd, 7, 43, 75, 155, 156, 157, 243, 252, 253, 258, 263, 305, 326, 354, 416, 417.  
 Bozeman, 14, 31, 59, 464.  
 Collett, 158, 159, 170, 171, 186, 192, 324, 448.  
 Cranor, 44, 45, 76, 77, 92, 98, 191, 290, 307, 351, 438, 468.  
 Crumpacker, 80, 197, 198, 230, 231, 346, 347, 378, 439.  
 Duncan, 15, 19, 46, 99, 154, 172, 264, 265, 291, 376, 377, 418, 419, 420, 440.  
 Ellison, 16, 67, 100, 101, 266, 379, 386, 387, 388, 390.  
 Gifford, 70, 71, 127, 223, 251, 329, 352, 366, 367.  
 Gostlin, 84, 385, 392.  
 Haggard, 1, 128, 143, 185, 267, 292, 363, 375, 411, 458.  
 Holler, 66, 72, 152, 234, 268, 281, 297, 446, 476.  
 Houghton, 17, 20, 47, 269, 323, 398, 441.  
 Humphreys, 2, 173, 210, 284, 285, 394.  
 Johnston, 24, 299.  
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 Kerns,  
 LaFollette, 49, 78, 79, 103, 194, 201, 235, 276, 330, 342, 412, 449, 450, 472.  
 Leyden, 81, 104, 370.  
 McCord, 130, 221, 327, 343, 369, 444, 486.  
 McCutchan, 8, 50, 51, 68, 83, 93, 105, 131, 145, 175, 213, 219, 220, 306, 328, 363, 396, 397, 398, 429, 431, 481.  
 McDonald, 52, 106, 107, 176, 225, 245, 320, 338, 339, 3403, 382, 399.  
 McHugh, 40, 160.  
 McKelvey, 53, 108.  
 McLean, 30, 85, 109, 126, 132, 133, 140, 202, 241, 298, 310, 331, 371, 471, 475.  
 McManus, 161, 381.  
 Mull, 188, 203, 270, 293, 300, 422.  
 Newby, 18, 36, 86, 110, 177, 195, 226, 227, 238, 239, 246, 311, 374, 445, 451, 484.  
 O'Brien, 162, 294, 295, 312, 332, 345, 364, 447.  
 Parker, 54, 271, 277, 278, 289, 308, 313, 321, 322, 333, 470.  
 Phares, 10, 189, 259, 260, 296, 335, 336, 400, 401, 402, 415, 434, 435, 436.  
 Rinear, 372, 428, 466.  
 Schneek, 111, 151, 287, 403, 430.  
 Self, 55, 146, 178, 204, 228, 247, 302, 314, 315, 404, 413, 414, 423, 485.  
 Seller, 21, 22, 32, 33, 38, 87, 88, 112, 113, 122, 179, 180, 190, 205, 206, 212, 248, 249, 279, 286, 288, 303, 304, 316, 344, 355, 361, 405, 406, 454.  
 Shiveley, 6, 26, 28, 34, 35, 56, 89, 114, 115, 134, 135, 141, 147, 163, 164, 181, 182, 207, 208, 250, 283, 373, 407, 452, 480.  
 Stuart, 4, 67, 69, 116, 117, 142, 163, 229, 443, 463.  
 Sweeney, 61, 62, 73, 118, 184, 261, 363, 384, 477, 478, 482.  
 Thayer, 236.  
 Vail, 63, 136, 143, 211, 237, 257, 317, 318, 319, 467.  
 Watson, 90, 119, 137, 280, 424, 425, 474, 483.  
 White, 209, 457.  
 Wishard, 5, 23, 37, 39, 91, 120, 121, 123, 124, 125, 138, 139, 153, 214, 215, 216, 217, 318, 254, 255, 262, 282, 356, 357, 365, 406, 409, 410, 437, 442, 456, 473, 479.  
 Wray, 3, 60, 64, 66, 149, 150, 232, 233, 337, 358, 428, 433.

# SENATE BILLS.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
1	Jan. 11 . .	A bill for an act to establish and maintain the Indiana State Home for disabled or destitute soldiers, sailors or marines, and the wives and destitute widows of such soldiers, sailors and marines, and declaring an emergency	Haggard . . . .	Feb. 23 . .	Signed by Governor.
2	Jan. 11 . .	A bill for an act to tax greenbacks and other moneys, and declaring an emergency	Humphreys . . .	Feb. 6 . .	Passed and transmitted to House.
3	Jan. 11 . .	A bill for an act making it unlawful for railroad companies, corporations and other persons operating railroads within this State to offer, promise or give free passage, etc . . . . .	Wray . . . . .	Feb. 15 . .	Indefinitely postponed.
4	Jan. 11 . .	A bill for an act to fix the salaries of Coroners in all counties in this State having a hundred thousand or more inhabitants . . . . .	Stuart . . . . .	Mich. 9 . .	Signed by Governor.
5	Jan. 11 . .	A bill for an act appropriating one hundred and five thousand dollars to defray the expenses of the Fifty-ninth General Assembly, and declaring an emergency . . . . .	Wishard. . . . .	Jan. 11 . .	Withdrawn.



6	Jan. 11 . . .	A bill for an act concerning the employment of employes for the Senate, defining their duties, providing for their compensation, repealing all laws in conflict, and declaring an emergency . . . . .	Shiveley . . . . .	Feb. 28 . .	Signed by Governor.
7	Jan. 14 . .	A bill for an act to establish a school for dependent and neglected children of the State . . . . .	Boyd . . . . .	Feb. 11 . .	Ordered printed.
8	Jan. 14 . .	A bill for an act to authorize the incorporation of companies for the purpose of constructing, operating and maintaining tobacco warehouses . . . . .	McCutchan . . . .	Feb. 6 . .	Withdrawn by the author.
9	Jan. 14 . .	A bill for an act for the protection of fish within the State of Indiana, providing penalties for violation of its provisions, repealing laws in conflict, and declaring an emergency . . . . .	Baker . . . . .	Jan. 18 . .	Indefinitely postponed.
10	Jan. 14 . .	A bill for an act to legalize the proceedings and records of the Board of Commissioners and other officers of Benton County . . . . .	Phares . . . . .	Jan. 16 . .	Signed by Governor.
11	Jan. 14 . .	A bill for an act for the safety and comfort of certain of the employes of street railway companies . . . . .	Baker . . . . .	Mar. 7 . .	Signed by Governor.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
12	Jan. 14 .	A bill for an act to license the traffic in cigarettes and cigarette wrappers and to provide against the evils resulting from the use of such as are deleterious to the health and declaring an emergency. . . . .	Baker. . . . .	Feb. 28 . .	Substitute bill reported by Committee and recommended to pass.
13	Jan. 14 .	A bill for an act concerning the salaries of County Commissioners in counties having not less than sixty-five thousand inhabitants and not less than twenty civil townships. . . . .	Bird . . . . .	Mich. 7 . .	Signed by Governor.
14	Jan. 14 . .	A bill for an act authorizing Boards of County Commissioners to lay out and construct free gravel, macadamized or turnpike roads, etc. . . . .	Roseman . . .	Feb. 5 . .	Passed and transmitted to House.
15	Jan. 14 . .	A bill for an act for the relief of Joel S. Davis, of Bartholomew County, Indiana. . . . .	Duncan . . . .	Mich. 7 . .	Signed by Governor.
16	Jan. 14 .	A bill for an act regulating the descent and the apportionment of estates in certain cases . . . . .	Ellison . . . .	Jan. 14 . .	Referred to Committee on Judiciary.

17	Jan. 14 . . .	A bill for an act to provide a general system of common schools. . . . .	Houghton . . .	Feb. 14 . .	Indefinitely postponed.
18	Jan. 14 . .	A bill for an act to amend section 389 of an act entitled an act concerning proceedings in civil cases, approved April 7, 1881, being section 546 of the Revised Statutes of 1881. . . . .	Newby. . . . .	Feb. 6 . .	Indefinitely postponed.
19	Jan. 14 . .	A bill for an act regulating the terms of the offices of township trustees and township assessors, fixing the time when they shall go into office, repealing all laws in conflict therewith, and declaring an emergency. . . . .	Duncan . . . . .	Jan. 14 . .	Referred to Committee on County and Township Affairs.
20	Jan. 14 . .	A bill for an act to amend section 80 of an act entitled an act concerning public offenses and their punishment, approved April 14, 1881. . . . .	Houghton . . .	Feb. 20 . .	Passed.
21	Jan. 14 . .	A bill for an act for the repair of ditches and drains which have been constructed and do not properly drain the lands assessed for their construction and declaring an emergency. . .	Seller . . . . .	Feb. 13 . .	Passed and transmitted to House.
22	Jan. 14 . .	A bill for an act vacating portions of highways in cases therein specified and declaring an emergency. . . . .	Seller . . . . .	Feb. 28 . .	Signed by Governor.

## SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
23	Jan. 14 . .	A bill for an act to repeal an act entitled an act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana and to apportion the same among the several counties of the State, and to repeal all laws in conflict therewith, approved March 4, 1893, and declaring an emergency . . . . .	Wishard . . . . .	Jan. 14 . .	Referred to Committee on Legislative Apportionment.
24	Jan. 14 . .	A bill for an act authorizing the issuing of writs and processes by the clerks of the Circuit and Superior courts of this State, and the service thereof on Sunday when issued on any other day on an affidavit first being filed with such clerk as in this act provided, and declaring an emergency . . . . .	Johnston . . . . .	Feb. 14 . .	Passed and transmitted to House.
25	Jan. 14 . .	A bill for an act to amend section 3816 of the Revised Statutes of 1881 . . .	Kern . . . . .	Feb. 18 . .	Ordered engrossed.
26	Jan. 14 . .	A bill for an act providing for a Metropolitan police force in all cities containing not less than ten thousand inhabitants . . . . .	Shiveley . . . . .	Mar. 8 . .	Passed over Governor's veto.

		(Number left out through error.)			
27	Jan. 14 . .				
28	Jan. 14 . .	A bill for an act creating a board of control for all the insane hospitals in the State of Indiana, providing for the appointment of the trustees composing such board for the compensation of such trustees, and declaring an emergency . . . . .	Shiveley . . . .	Feb. 14 . .	Indefinitely postponed.
29	Jan. 14 . .	A bill for an act prescribing the duties of railroad companies with reference to the crossing by railroad companies of streets, avenues and alleys in incorporated towns and cities in the State of Indiana . . . . .	Kern . . . . .	Mch. 11 . .	Signed by Governor.
30	Jan. 14 . .	A bill for an act to amend the first section of an act approved March 3, 1887, entitled an act regulating foreign insurance companies doing business in this State . . . . .	McLean . . . . .	Mch. 11 . .	Reported back without recommendation.
31	Jan. 14 . .	A bill for an act regulating the transportation of property by railroad companies and other common carriers, and declaring an emergency . . . . .	Bozeman . . . .	Feb. 25 . .	Recommended to pass.
32	Jan. 14 . .	A bill for an act concerning the sufficiency of the evidence in actions of libel and slander . . . . .	Seller . . . . .	Jan. 24 . .	Passed and transmitted to House.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
33	Jan. 14	A bill for an act to prevent the unlawful taxing, charging, demanding and collecting of fees by State and county officers, providing penalties and declaring an emergency. . . . .	Seller . . . . .	Mich. 11 . .	Reported back without recommendation.
34	Jan. 14	A bill for an act making appropriations for increasing the capacity of the Eastern Indiana Hospital for the Insane, and declaring an emergency . .	Shiveley . . . .	Feb. 16 . .	Recommended to pass.
35	Jan. 14	A bill for an act appropriating money for the current expenses of the Eastern Indiana Hospital for the Insane .	Shiveley . . . .	Jan. 14 . .	Referred to Committee on Benevolent Institutions.
36	Jan. 14 . .	A bill for an act to amend sections 4, 9 and 22 of an act to establish and maintain the Indiana Soldiers' and Sailors' Orphans' Home and repealing certain statutes relating thereto, approved February 15, 1887 . . . . .	Newby . . . . .	Feb. 12 . .	Passed and transmitted to House.
37	Jan. 14	A bill for an act in relation to appeals to the Supreme and Appellate Courts and declaring an emergency . . . . .	Wishard . . . . .	Feb. 13 . .	Passed and transmitted to House.

39	Jan. 14 . . .	A bill for an act to legalize Sheriff's sales of real estate made without appraisal of the rents and profits . . . .	Seller . . . .	Mich. 11 . .	Signed by Governor.
40	Jan. 14 . . .	A bill for an act providing for the publication and indexing of certain laws and statutes of the Northwest Territory and the Territory and State of Indiana, and providing for their effect as evidence when so published. . . .	Wishard . . . .	Jan. 22 . .	Indefinitely postponed
41	Jan. 14 . . .	A bill for an act to amend sections 1 and 12 of an act entitled an act to provide for the incorporation of street railroad companies, approved June 4, 1861	McHugh . . . .	Feb. 25 . .	Ordered printed.
42	Jan. 14 . . .	A bill for an act entitled an act appropriating the sum of forty-eight thousand five hundred and thirteen dollars and nine cents (\$48,513.09) for the payment of the expenses of the Indiana Legion during the year 1894, and the incidental expenses connected therewith and declaring an emergency. . . . .	Kern . . . . .	Jan. 15 . .	Passed and signed by Governor.
		A bill for an act to authorize and empower the Board of County Commissioners of Grant County, Indiana, to pay and refund to certain citizens of said county certain sums of money paid, or which they may by law be compelled to pay as guarantors in aid of the construction of the railway now known as the Toledo, St. Louis and Kansas City Railroad through said county . . . . .	Baker. . . . .	Jan. 24 . .	Indefinitely postponed.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
43	Jan. 14 . .	A bill for an act to provide for the treatment and cure of habitual drunkards and other victims of the drug habit, and the treatment of such. . . . .	Boyd . . . . .	Mch. 4 . .	Report to indefinite postponement not concurred in.
44	Jan. 14 . .	A bill for an act providing for the inspection and regulation of steam boilers, and the appointment of a State Boiler Inspector, and providing penalties for the violation thereof . . . . .	Cranor . . . . .	Feb. 20 . .	Failed to pass.
45	Jan. 14 . .	A bill for an act to amend an act concerning the 25th and 46th Judicial Circuits . . . . .	Cranor . . . . .	Jan. 15 . .	Passed and transmitted to House.
46	Jan. 14 . .	A bill for an act fixing the time of holding courts in the 10th Judicial Circuit, defining the length of such terms, repealing all laws in conflict therewith, and declaring an emergency . .	Duncan . . . . .	Feb. 20 . .	Indefinitely postponed.



47	Jan. 14 . .	A bill for an act to legalize certain school bonds issued by the Board of Trustees of the incorporated town of Shoals, in Martin County, in the State of Indiana, and declaring an emergency . .	Houghton . . . .	Feb. 18 . .	Signed by Governor
48	Jan. 14 . .	A bill for an act to amend section 118 of an act concerning the incorporation and government of cities having more than one hundred thousand population according to the last preceding United States census, and matters connected therewith, and declaring an emergency. . . . .	Kern . . . . .	Feb. 20 . .	Passed.
49	Jan. 14 . .	A bill for an act entitled an act to amend section 1 of an act entitled an act concerning the organization and perpetuity of voluntary associations, and adding supplemental sections, and declaring an emergency, approved March 9, 1891, and declaring an emergency . . . . .	LaFollette . . . .	Feb. 28 . .	Passed.
50	Jan. 14 . .	A bill for an act to compel street railroads to provide protection to motorists and conductors . . . . .	McCutchan . . . .	Feb. 20 . .	Referred to Committee on Corporations.
51	Jan. 14 . .	A bill for an act entitled an act to prevent fraudulent dealings of nursery agents and salesmen, and prescribing penalties for same . . . . .	McCutchan . . . .	Feb. 4 . .	Indefinitely postponed.

## SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
52	Jan. 14 . .	A bill for an act authorizing incorporation of cities to recover fines and penalties in misdemeanors where the penalties under the State law is a fine only, and declaring an emergency . . . . .	McDonald . . . . .	Jan. 22 . .	Recommended to pass.
53	Jan. 14 . .	A bill for an act to amend sections 4, 6 and 7 of an act concerning the construction of free gravel, stone or other macadamized roads, providing for their location, approved March 3, 1893, and declaring an emergency . .	McKelvey . . . . .	Feb. 6 . .	Recommended to Committee.
54	Jan. 14 . .	A bill for an act to legalize certain sales of real estate made by County Auditors as forfeited school lands, and declaring an emergency . . . . .	Parker . . . . .	Feb. 6 . .	Passed and transmitted to the House.
55	Jan. 14 . .	A bill for an act providing for the election and qualification of County Superintendents and for their removal, and extending the term of office of present incumbents, and repealing all laws or parts of laws in conflict therewith, and declaring an emergency . . . . .	Self . . . . .	Feb. 18 . .	Ordered engrossed.

57	Jan. 14	ment of a Humane Inspector by County Commissioners, and providing for their compensation . . . . .	Shiveley . . . . .	Feb. 20 . . . . .	Passed the Senate.
		A bill for an act to amend section 1 (section 703, Revised Statutes of 1881) of an act entitled an act providing for a homestead, and exempting it from sale on execution, and exempting certain personal property from attachment and sale on execution or distress for rent, and repealing all laws in conflict therewith; approved March 29, 1879 . . . . .	Stuart. . . . .	Jan. 30 . . . . .	Passed and transmitted to the House
58	Jan. 14 . . . . .	A bill for an act to establish a Superior Court in the County of Madison, defining its authority and jurisdiction, and declaring an emergency . . . . .	Baker . . . . .	Feb. 23 . . . . .	Amended and returned from House.
59	Jan. 14 . . . . .	A bill for an act providing for the protection, supervision and safety of property or money willed or donated for benevolent purposes, and declaring an emergency. . . . .	Bozeman . . . . .	Mch. 11 . . . . .	Signed by Governor.
60	Jan. 14 . . . . .	A bill for an act to amend section 1 of an act entitled an act requiring railroad corporations and other persons operating and controlling railroads to fence their right of way. Approved April 13, 1885. . . . .	Wray. . . . .	Feb. 22 . . . . .	Indefinitely postponed.

## SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
61	Jan. 14 . .	A bill for an act fixing the limit of compensation to be paid for carrying passengers and their baggage on all lines of railroads within the State of Indiana, and providing a penalty for a violation thereof, and declaring an emergency. . . . .	Sweeney. . . . .	Jan. 14 . .	Referred to Committee on Railroads.
62	Jan. 14 . .	A bill for an act requiring foreign life, fire and accident insurance companies doing business in the State of Indiana to keep a certain sum of money invested or deposited in the State of Indiana. . . . .	Sweeney. . . . .	Mch 11 . .	Majority and minority reports.
63	Jan. 14 . .	A bill for an act to provide for a uniform policy of fire insurance to be made and issued in this State by all insurance companies taking fire risks on property within this State, repealing all laws in conflict herewith and declaring an emergency . . . . .	Vail . . . . .	Jan. 29 . .	Referred back to committee.
64	Jan. 14 . .	A bill for an act to regulate contracts of insurance of buildings and structures .	Wray . . . . .	Feb. 8	Indefinitely postponed.

66	Jan. 14 . .	charged by all joint stock companies, corporations, firms or individuals who control, superintend or own stock yards within three miles of any incorporated city or town within the State of Indiana . . . . .	Wray . . . . .	Feb. 23 . .	Can be taken up at any time on committee report.
67	Jan. 14 . .	A bill for an act to create the office of Food and Dairy Commissioner and the appointment of his assistants and defining his duties and declaring an emergency . . . . .	Holler . . . . .	Feb. 12 . .	Passed and transmitted to House.
68	Jan. 14 . .	A bill for an act to prevent the adulteration of dairy products and other articles of food and drink, in certain cases . .	Ellison . . . . .	Feb. 20 . .	Passed.
69	Jan. 14 . .	A bill for an act to amend an act entitled an act to prevent carrying concealed or dangerous weapons, and to provide punishment therefor. Approved February 28, 1869 . . . . .	McCutchan . . . . .	Jan. 30 . .	Indefinitely postponed.
	Jan. 14 . .	A bill for an act providing for attorneys' fees when a mechanic, artisan, minor, laborer, servant or employee sues for wages . . . . .	Stuart . . . . .	Feb. 13 . .	Passed and transmitted to House.

## SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
70	Jan. 14 . .	A bill for an act prohibiting the selling, bartering, mortgaging, pledging or removing of personal property by parties in possession thereof by virtue of conditional purchase with the consent of the holder of the legal title of such property, and providing the punishment thereof, and declaring an emergency . . . . .	Gifford . . . . .	Jan. 22 . .	Indefinitely postponed.
71	Jan. 14 .	A bill for an act repealing all parts of laws providing for the death penalty for the punishment of crime, and declaring an emergency . . . . .	Gifford . . . . .	Jan. 14 . .	Indefinitely postponed.
72	Jan. 14	A bill for an act to create a State Veterinary Medical Commission, providing for their appointment and defining their duties, and declaring the time of taking effect thereof . . . . .	Holler . . . . .	Feb. 26 . .	Ordered engrossed.
73	. . . . .	A bill for an act fixing the liabilities of insurance companies in case of loss by casualty under the policies, and the basis of adjustment and settlement between insurer and insured, declaring void all contracts in conflict with the provisions of this act, and declaring an emergency . . . . .	Hweeney . . . . .	Feb. 8 . .	Indefinitely postponed.

75	Jan. 15 . . .	on the execution of wills where the witnesses thereto do not reside in the county in which the will should be admitted to probate, and declaring an emergency. . . . .	Alexander. . . . .	Jan. 24 . . .	Indefinitely postponed.
76	Jan. 15 . . .	A bill for an act establishing a board to be known as the State Veterinary Medical Board . . . . .	Boyd . . . . .	Jan. 31 . . .	Indefinitely postponed.
77	Jan. 15 . . .	A bill for an act to amend section 1 of an act to amend section 2 of an act entitled an act fixing the salaries of County Commissioners, Township Assessors and Trustees, and declaring an emergency, approved March 6, 1888, and declaring an emergency. . . . .	Cranor . . . . .	Feb. 14 . . .	Indefinitely postponed.
78	Jan. 15 . . .	A bill for an act concerning Justices of the Peace, fixing their compensation and defining certain of their duties and the duties of Boards of County Commissioners, County Treasurers and County Auditors in relation thereto, and repealing conflicting laws. . . . .	Cranor . . . . .	Jan. 15 . . .	Referred to Committee on Judiciary.
		A bill for an act authorizing cities incorporated under the general laws to enforce street sprinkling and sweeping, providing for the letting of the same by contract, the manner of assessing and collecting the cost of such sprinkling and sweeping, and declaring an emergency. . . . .	LaFollette. . . . .	Feb. 8 . . .	Ordered printed.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
79	Jan. 15 . .	A bill for an act concerning promissory notes and other evidences of indebtedness and promises therein to pay attorney's fees, and declaring an emergency. . . . .	LaFollette . . .	Jan. 31 . .	Indefinitely postponed.
80	Jan. 15 . .	A bill for an act to protect the people of Indiana in the sale of poisons and the compounding of medicines by ignorant persons . . . . .	Crumpacker . . .	Feb. 25 . .	Substitute, recommended to pass.
81	Jan. 15 . .	A bill for an act to legalize the town of Greenville, Floyd County, Indiana, the election and qualifications of its several Boards of Trustees and other officers, and all acts, orders and ordinances, resolutions, by-laws, minutes and proceedings of the Board of Trustees of said town, and other matters connected therewith, and declaring an emergency. . . . .	Leyden . . . . .	Jan. . .	Signed by Governor.
82	Jan. 15 . .	A bill for an act to confirm and make valid sales of real estate in the State of Indiana made and hereafter to be made by trustees and by domestic and foreign executors. . . . .	Kern . . . . .	Jan. 31 . .	Indefinitely postponed.



83	Jan. 15 . .	A bill for an act providing for the practice of veterinary surgery, prescribing rules and prescribing penalties, and declaring an emergency . . . . .	McCutchan . . . .	Jan. 29 . .	Indefinitely postponed.
84	Jan. 15 . .	A bill for an act to amend section 1 of an act approved March 8, 1889, and entitled an act concerning the purchase of toll roads and providing for the maintenance of the same as free gravel roads, and declaring an emergency . .	Gostlin . . . . .	Feb. 6 . .	Passed and transmitted to the House.
85	Jan. 15 .	A bill for an act regulating insurance companies doing business in this State and prescribing penalties for the violation thereof, and providing for a hearing for violations of the same, and declaring an emergency . . . . .	McLean . . . . .	Feb. 15 . .	Indefinitely postponed.
86	Jan. 15 . .	A bill for an act extending to all political parties a right of representation upon Boards of Election Commissioners and upon Election Boards . . . . .	Newby . . . . .	Feb. 6 . .	Recommended to Committee on Education.
87	Jan. 15 . .	A bill for an act to amend section 11 of an act prohibiting the obstruction of ditches or drains, providing a method of keeping them in repair, and providing a penalty for the violation thereof, approved February 28, 1889 .	Seller . . . . .	Feb. 4 . .	Indefinitely postponed.
88	Jan. 15	A bill for an act to provide for the location and perpetuation of lost section corners in certain cases . . . . .	Seller . . . . .	Jan. 29 . .	Passed and transmitted to House.

## SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
89	Jan. 15 . .	A bill for an act creating a Board of Control, to manage, control and govern the State Prison North, the State Prison South and the Indiana Reform School for Boys, providing for the appointment of the Trustees, etc . .	Shiveley . . . .	Feb. 20 . .	Indefinitely postponed.
90	Jan. 15	A bill for an act to amend an act providing for the appointment of Justices of the Peace, approved March 10, 1875, the same being section 5584 of the Revised Statutes of 1881, repealing all laws in conflict therewith, and declaring an emergency . . . . .	Watson . . . .	Feb. 5 . .	Passed and transmitted to the House.
91	Jan. 15 . .	A bill for an act concerning pensions for disabled or retired firemen and dependents of deceased firemen, providing for the pensioning of the widows and orphans of deceased firemen, etc. .	Wishard . . . . .	Jan. 15	Referred to Committee on Cities and Towns.
92	Jan. 15 . .	A bill for an act to legalize the incorporation of the town of Albany, in Delaware County, in the State of Indiana, and to legalize the official acts of the several Boards of Trustees, and the official acts of all other officers of said town, etc . . . . .	Cranor . . . . .	Feb. 18 . .	Signed by Governor.

93	Jan. 15 . .	A bill for an act to provide for the examination and licensing of engineers in charge of stationary steam boilers and steam generating apparatus for cities of five thousand inhabitants and over.	McCutchan . .	Mch. . .	Failed for lack of constitutional majority.
94	Jan. 16 . .	A bill for an act regulating licenses of itinerant venders of goods, wares and merchandise, prescribing a penalty for its violation, and declaring an emergency . . . . .	Alexander . . . .	Mch. 11 . .	Reported back without recommendation.
95	Jan. 16 . .	A bill for an act to establish a Superior Court in the county of Grant, defining its authority and jurisdiction, providing for the appointment, election and compensation of the Judge thereof, and providing for a vacancy in the office of Judge of said Court, and declaring an emergency . . . . .	Baker . . . . .	Feb. 15 . .	Ordered engrossed.
96	Jan. 16	A bill for an act to prohibit the sale of intoxicating liquors at any place within one mile from any Soldiers' Home maintained wholly, or in part, by the State of Indiana or the United States of America within the State of Indiana . . . . .	Baker . . . . .	Feb. 20 . .	Bill passed.
97	Jan. 16 . .	A bill for an act to provide for the erection and establishing of permanent meridian marks and lines upon the public grounds of counties in the State of Indiana at or near the county seats of such counties . . . . .	Barnes . . . . .	Mch. 11 . .	Signed by Governor.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
98	Jan. 16 . .	A bill for an act providing how and under what circumstances steam, water, gas and oil pipe lines, mains and conduits may be laid down, constructed and maintained over, under, along, across the public highways and free gravel roads of the State . . . . .	Cranor . . . . .	Mich. 11 . .	Indefinitely postponed.
99	Jan. 16 . .	A bill for an act to extend aid to the Indiana University, and declaring an emergency . . . . .	Duncan . . . . .	Feb. 14 . .	Indefinitely postponed.
100	Jan. 16 . .	A bill for an act defining who shall be entitled to the benefits and subject to the provisions of the several laws of this State according to the relief that shall be granted orphan children, and for which associations have been formed under voluntary association laws of this State, and repealing all laws in conflict therewith . . . . .	Ellison . . . . .	Feb. 6 . .	Passed and transmitted to the House.
101	Jan. 16 . .	A bill for an act concerning drainage, the repair of ditches and drains, and repealing all laws in conflict therewith, and declaring an emergency . .	Ellison . . . . .	Feb. 28 . .	Passed.

102	Jan. 16 . .	A bill for an act providing for the relief and support of Union ex-soldiers and sailors in indigent circumstances . .	Kern . . . . .	Feb. 28 . .	Passed.
103	Jan. 16 . .	A bill for an act to authorize the issue of bonds by counties to procure necessary funds to complete court houses already under construction, and declaring an emergency . . . . .	LaFollette . . . .	Jan. 24 . .	Committee reported favorably.
104	Jan. 16 . .	A bill for an act to amend section 2 of an act entitled an act supplemental to an act entitled an act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribing their powers and rights, etc.; approved March 14, 1876 . . . . .	Leyden . . . . .	Feb. 18 . .	Signed by Governor.
105	Jan. 16 . .	A bill for an act entitled an act to amend section 1 of an act concerning the organization and perpetuity of voluntary associations . . . . .	McCutchan . . . .	Jan. 24 . .	Withdrawn from Committee.
106	Jan. 16 . .	A bill for an act legalizing the appointment of Township Trustees by Boards of County Commissioners where the predecessors of the Trustees appointed were of unsound mind at the time of such appointment . . . . .	McDonald . . . . .	Jan. 18 . .	Signed by Governor.
107	Jan. 16 . .	A bill for an act to amend section 1 of an act entitled an act regulating foreign insurance companies doing business in this State . . . . .	McDonald . . . . .	Feb. 23 . .	Ordered engrossed.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
108	Jan. 16 . .	A bill for an act to amend section 114 of an act concerning taxation, repealing all laws in conflict therewith, and declaring an emergency, and for the repeal of sections 112 and 113 of said act and all other laws and parts of laws in conflict therewith . . . . .	McKelvey . . . . .	Feb. 8 . .	Indefinitely postponed.
109	Jan. 16 . .	A bill for an act to amend section 2 of an act entitled an act to amend an act to create a State Normal School, and declaring an emergency; approved December 20, 1865, and adding supplemental sections thereto and providing for certain appropriations; approved March 5, 1873, and declaring an emergency . . . . .	McLean . . . . .	Feb. 14	Recommended to pass.
110	Jan. 16 . .	A bill for an act relating to the manufacture and sale of articles constructed in whole or in part of gold or silver or any alloy or imitation thereof, prescribing penalties and declaring an emergency.	Newby . . . . .	Feb. 20 . .	Passed.

111	Jan. 16 . . .	A bill for an act creating the office of Inspector of County Offices and Records, prescribing the duties thereof, providing penalties for certain offenses, and declaring an emergency . . . . .	Schneck . . . . .	Jan. 22	Indefinitely postponed.
112	Jan. 16 . . .	A bill for an act to repeal section 2 of an act entitled an act concerning elections and the contest thereof; approved April 21, 1881, being section 4679 of the Revised Statutes of 1881 . . . . .	Seller . . . . .	Feb. 13	Failed to pass.
113	Jan. 16 . . .	A bill for an act to amend section 13 of an act entitled an act entitled an act to amend sections 2, 15, 19, 23, 26, 29, 34, 44, 45, 46, 47, 49, 52 and 65 of an act entitled an act concerning elections. . . . .	Seller . . . . .	Feb. 11	Recommended to pass.
114	Jan. 16 . . .	A bill for an act to amend section 474 of an act entitled an act concerning proceedings in civil cases. . . . .	Shiveley . . . . .	Jan. 29	Recommended to pass.
115	Jan. 16 . . .	A bill for an act to amend section 347 of an act entitled an act concerning proceedings in civil cases. . . . .	Shiveley . . . . .	Feb. 13	Failed to pass.
116	Jan. 16 . . .	A bill for an act to prohibit any officer of, or other person connected with, any bank in this State, to receive any money or commercial paper, as a deposit, from any person, knowing such bank to be insolvent . . . . .	Stuart . . . . .	Feb. 14 . .	Indefinitely postponed.

## SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
117	Jan. 16 .	A bill for an act to prevent corrupt practices in elections, to limit the expenses of candidates, etc . . . . .	Stuart . . . . .	Feb. 26 . .	Passed.
118	Jan. 16 . .	A bill for an act to amend section 389 of an act concerning proceedings in civil cases; approved April 7, 1881, and designated as section 546 of the Revised Statutes of 1881 . . . . .	Sweeney . . . . .	Mich. 11 . .	Signed by Governor.
119	Jan. 16 . .	A bill for an act for the relocation of county seats in counties of this State having an area of more than five hundred square miles . . . . .	Watson . . . . .	Mich. 8 . .	Passed over Governor's veto.
120	Jan. 16 . .	A bill for an act forbidding the location and construction of streets, alleys, highways, railroads, street railroads and electric railways through lands owned by cemeteries, etc., and declaring an emergency . . . . .	Wishard . . . . .	Feb. 14 . .	Signed by Governor.
121	Jan. 16 . .	A bill for an act to pay G. F. Bond and G. W. Baker for cattle and other property destroyed by order of the State Board of Health, and declaring an emergency . . . . .	Wishard . . . . .	Feb. 8 . .	Recommended to pass.



122	Jan. 16 . .	A bill for an act to provide for the settlement of guardianships between guardians and their wards, or other persons entitled, and declaring an emergency.	Seller . . . . .	Feb. 6 . .	Passed and transmitted to the House.
123	Jan. 16 . .	A bill for an act to regulate the soliciting and writing of life insurance, and to prohibit discriminations in life insurance, etc., and declaring an emergency.	Wishard . . . . .	Feb. 12 . .	Passed and transmitted to House.
124	Jan. 16 . .	A bill for an act changing the name of the Mutual Life and Endowment Association of Indiana to the name of The Mutual Life Insurance Company of Indiana . . . . .	Wishard. . . . .	Mar. 7 . . .	Signed by Governor.
125	Jan. 16 . .	A bill for an act exempting from taxation the property of cemeteries organized under the laws of this State .	Wishard. . . . .	Feb. 20 . .	Signed by the Governor.
126	Jan. 16 . .	A bill for an act to amend section 2 of an act entitled an act to create a State Normal School, and declaring an emergency . . . . .	McLean . . . . .	Feb. 14 . .	Recommended to pass.
127	Jan. 16 . .	An act empowering cities and towns within the State of Indiana to regulate the prices for the consumption of natural gas therein, and declaring an emergency. . . . .	Gifford . . . . .	Mar. 11 . .	Recommended to pass.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
128	Jan. 16 . .	A bill for an act authorizing cities and towns to issue bonds for the purpose of funding their indebtedness, or re-funding the same, reducing the rate of interest on pre-existing obligations, etc . . . . .	Haggard . . . .	Feb. 6 . .	Passed and transmitted to the House.
129	Jan. 17 . .	A bill for an act to amend section 3 of an act approved March 4, 1898, entitled an act to regulate sewer improvements in towns and cities, and declaring an emergency . . . . .	Kern . . . . .	Feb. 20 . .	Passed.
130	Jan. 17 . .	A bill for an act to amend section 18 of an act entitled an act to authorize and regulate the incorporation of banks of discount and deposit in the State of Indiana; approved February 7, 1873	McCord . . . .	Feb. 6 . .	Recommitted to Committee on Banks.
131	Jan. 17 . .	A bill for an act for the reorganization of the Indiana militia, prescribing regulations and penalties for violations thereof, providing for the election and appointment of officers, defining the rights and duties of civil and military officers, etc. . . . .	McCatchan . . .	Jan. 17 . .	Referred to the Committee on Military Affairs.

132	Jan. 17 . .	A bill for an act making appropriations for the Indiana State Normal School, and declaring an emergency . . . .	McLean . . . .	Feb. 14 . .	Recommended to pass.
133	Jan. 17 . .	A bill for an act to amend an act entitled an act to amend section one of an act entitled an act to amend section four (4) of an act entitled an act to amend an act entitled an act to create a State Normal School . . . .	McLean . . . .	Mch. 11 . .	Recommended to be indefinitely postponed.
134	Jan. 17 . .	A bill for an act to provide for the publication, distribution and preservation of the reports and papers of the Indiana Academy of Science, and declaring an emergency . . . .	Shiveley . . . .	Mch. 2 . .	House Bill No. 136 substituted.
135	Jan. 17 . .	A bill for an act to repeal section 4 of an act entitled an act concerning husband and wife, approved April 16, 1881, being section 5119 of the Revised Statutes of 1881, and being section 6964 of Burns' Revised Statutes of 1894 . .	Shiveley . . . .	Feb. 14 . .	Indefinitely postponed.
136	Jan. 17 . .	A bill for an act to amend an act entitled an act authorizing the Common Councils of cities, organized under an act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribing their powers and rights, etc . . . .	Vail . . . .	Mch. 2 . .	Passed.

## SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
137	Jan. 17	A bill for an act for the relief of Reuben P. Main and appropriating money, and declaring an emergency. . . . .	Watson . . . . .	Mar. 1 . . .	Passed.
138	Jan. 17 . .	A bill for an act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same among the several counties of the State, and to repeal all laws in conflict therewith . . . . .	Wishard. . . . .	Jan. 17 . . .	Referred to Committee on Legislative Affairs and ordered printed.
139	Jan. 17	A bill for an act to ratify and confirm the appointment of George W. Julian and William A. Meloy as counsel and agents for the State of Indiana, etc . . . . .	Wishard. . . . .	Feb. 25 . . .	Recommended to pass.
140	Jan. 17 . .	A bill for an act for the incorporation of fire insurance companies in the State, defining their powers and prescribing their duties . . . . .	McLean . . . . .	Mch. 11 . . .	Reported back without recommendation.

141	Jan. 17 . .	A bill for an act entitled an act to amend section 286 of an act entitled an act concerning proceedings in civil cases, approved April 7, 1881, it being section 413 of the Revised Statutes of 1881, and being section 417 of Burns' Revised Statutes of 1894. . . . .	Shively . . . . .	Jan. 30 . .	Ordered engrossed.
142	Jan. 17 . .	A bill for an act providing that Circuit Courts may authorize employment of clerical assistants by Probate Commissioners, fixing in what manner such assistants shall be paid, and declaring an emergency . . . . .	Stuart . . . . .	Feb. 28 . .	Amended by House and amendments concurred in by Senate.
143	Jan. 17 . .	A bill for an act to amend sections 1 and 3 of an act entitled an act to amend section 3 of an act entitled an act to regulate foreign insurance companies doing business in this State . . . . .	Haggard . . . .	Feb. 20 . .	Indefinitely postponed.
144	Jan. 18 . .	A bill for an act to fix the salaries of the Judges of the Criminal Courts of this State, and to provide for the time and manner of payment, and to repeal all laws in conflict therewith, and declaring an emergency. . . . .	Kern . . . . .	Jan. 30 . .	Passed and transmitted to House.
145	Jan. 18 . .	A bill for an act fixing the salaries of County Commissioners, prescribing penalties, and declaring an emergency.	McCutchan	Feb. 28 . .	Ordered engrossed.

# SENATE BILLS—Continued.

No	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
146	Jan. 18	A bill for an act to amend section 5 of an act entitled an act to amend an act entitled an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties and matters connected therewith . . . . .	Self. . . . .	Feb. 1 . .	Indefinitely postponed.
147	Jan. 18 . .	A bill for an act to amend section 2 of an act entitled an act to amend sections 18, 19 and 21 of an act entitled an act in relation to the laying out, opening, widening, altering and vacation of streets, alleys and highways. . . . .	Shiveley . . . .	Feb. 13 . .	Passed and transmitted to House.
148	Jan. 18 . .	A bill for an act to amend sections 1, 6 and 9 of an act entitled an act to encourage the erection and operation of water-works in cities and towns by incorporated associations, etc. . . . .	Vail . . . . .	Mich. 11 . .	Signed by Governor.
149	Jan. 18 . .	A bill for an act to provide for free licenses to ex-soldiers and sailors of the United States residing in the State of Indiana, etc. . . . .	Wray . . . . .	Mich. 11	Signed by Governor.

150	Jan. 18 . .	A bill for an act to provide for the recovery of the possession of real property, to quiet title thereto, to limit the effect of the opinions of the Supreme Court relating to the same, and matters properly connected therewith, and to declare an emergency . . . . .	Wray . . . . .	Feb. 22 . .	Indefinitely postponed.
151	Jan. 18 . .	A bill for an act to create a system of reformatory prisons in the State of Indiana, and declaring an emergency .	Schneck . . . . .	Jan. 18 . .	Referred to Committee on Prisons.
152	Jan. 18 . .	A bill for an act concerning voluntary associations for the purpose of insuring property against loss by fire and damage by lightning . . . . .	Holler . . . . .	Jan. 18 . .	Referred to Committee on Insurance.
153	Jan. 18	A bill for an act to amend section 2 of an act entitled, an act regulating liability of railroads and other corporations, except municipal, for personal injury to persons employed by them . . . .	Wishard . . . . .	Mch. 7 . .	Signed by Governor.
154	Jan. 18 . .	A bill for an act to amend section 2 of an act to authorize the change of county boundaries, and declare an emergency, approved March 10, 1875, and being section 4209 of the Revised Statutes of 1881 . . . . .	Duncan . . . . .	Feb. 25 . .	Ordered engrossed.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
155	Jan. 21	A bill for an act fixing the compensation and prescribing the duties of certain State and county officers, etc . . . .	Boyd . . . . .	Jan. 21	Referred to Committee on Fees and Salaries.
156	Jan. 21	A bill for an act providing for the compensation of attorneys in suits which they bring, compromised without payment or tender of reasonable fee . . . .	Boyd . . . . .	Jan. 21 .	Referred to Committee on Judiciary.
157	Jan. 21 . .	A bill for an act repealing provision 2 of section 10 of an act creating an Appellate Court, and defining its jurisdiction, approved February 28, 1891, and declaring an emergency . . . . .	Boyd . . . . .	Feb. 28 . .	Indefinitely postponed.
158	Jan. 21 . .	A bill for an act regulating the office of County Assessor, limiting time of service, repealing all laws in conflict therewith, and declaring an emergency . .	Collett . . . . .	Mch. 9 . .	Passed over Governor's veto.
159	Jan. 21 . .	A bill for an act to amend section 2 of an act approved March 8, 1873, entitled an act to amend an act entitled an act to provide for a general system of common schools . . . . .	Collett . . . . .	Feb. 11 . .	Indefinitely postponed.



160	Jan. 21 . . .	A bill for an act entitled an act authorizing a change of use in the lot of ground appropriated to the citizens of Indianapolis as a public burying ground . . . . .	McHugh . . . . .	Mch. 11 . . .	Recommended to be indefinitely postponed.
161	Jan. 21 . . .	A bill for an act to authorize cities containing a population of ten thousand or more to create the office of Police Matron . . . . .	McManus . . . . .	Mch. 7 . . .	Signed by Governor.
162	Jan. 21 . . .	A bill for an act defining the Fortieth Judicial Circuit . . . . .	O'Brien . . . . .	Feb. 20 . . .	Indefinitely postponed.
163	Jan. 21 . . .	A bill for an act to amend sections 4, 5 and 10 of an act to amend an act entitled an act to provide for a general system of common schools . . . . .	Shiveley . . . . .	Mch. 7 . . .	Signed by Governor.
164	Jan. 21 . . .	A bill for an act to amend an act entitled an act to provide for a general system of common schools . . . . .	Shiveley . . . . .	Feb. 18 . . .	Ordered engrossed.
165	Jan. 21 . . .	A bill for an act to amend section twelve (12) of an act of the General Assembly of the State of Indiana entitled an act for the incorporation of Building, Loan Fund and Savings Associations . . . . .	Boord . . . . .	Mch. 6 . . .	Failed to pass for lack of constitutional majority.
166	Jan. 22 . . .	A bill for an act regulating descent and apportionment of estates and defining the rights of second or subsequent childless wives, etc . . . . .	Alexander . . . . .	Feb. 28 . . .	Recommended to pass.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
167	Jan. 22 .	A bill for an act repealing section 3 of an act entitled an act to provide for the recording of wills and orders of court in certain cases, approved March 9, 1891, and declaring an emergency . .	Alexander . .	Feb. 28 . .	Indefinitely postponed.
168	Jan. 22 .	A bill for an act to protect domestic animals, domestic fowls, providing for the registration and taxation of dogs, etc . . . . .	Bird . . . .	Feb. 8 . .	Passed and transmitted to House.
169	Jan. 22 .	A bill for an act concerning public offenses and their punishments . . .	Boord . . . .	Feb. 26 . .	Ordered engrossed.
170	Jan. 22 .	A bill for an act providing an item for general appropriation bill . . . .	Collett . . . .	Feb. 28 . .	Recommended to pass.
171	Jan. 22 .	A bill for an act providing for the construction and equipment of two annexes at the Northern Hospital for Insane at Logansport, etc . . . . .	Collett . . . .	Feb. 14 . .	Ordered printed.
172	Jan. 22 .	A bill for an act in relation to changes of venue, and to repeal all laws conflicting therewith, and declaring an emergency . . . . .	Duncan . . . .	Feb. 12 . .	Passed and transmitted to House.

173	Jan. 22 . . .	A bill for an act to amend section 3 of an act approved March 7, 1857, relating to the printing, binding and distribution of the session's acts of General Assembly, and declaring an emergency. . . . .	Humphreys . . .	Feb. 28 . .	Indefinitely postponed.
174	Jan. 22 . .	A bill for an act making an appropriation to pay William H. Draper for brevier Legislative Reports of the dates and proceedings of the 51st, 52d and 53d General Assemblies. . . . .	Kern . . . . .	Feb. 8 . .	Ordered printed.
175	Jan. 22 . .	A bill for an act to appropriate \$2,934.04 to reimburse Stephen A. Bate for money and material expended, in addition to contract price, for the erection of public buildings, and declaring an emergency. . . . .	McCutchan . . .	Mch. 11 . .	Withdrawn by author.
176	Jan. 22 . .	A bill for the protection of public ditches and drains . . . . .	McDonald . . .	Feb . .	Indefinitely postponed.
177	Jan. 22 . .	A bill for an act relating to the proceedings in civil cases, and relating to the foreclosure of liens and the mode and manner of service of notice, and declaring an emergency . . . . .	Newby . . . . .	Mch. 11 . .	Signed by Governor.
178	Jan. 22 . .	A bill for an act to amend section 190 of an act entitled an act concerning public offenses and their punishment . . .	Self . . . . .	Feb. 28 . .	Ordered engrossed.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
179	Jan. 22 . .	A bill for an act to amend section 1 of the act of March 9, 1889, providing for the bidding in and sale of lands mortgaged to secure school loans and declaring an emergency . . . . .	Seller . . . . .	Feb. 11 . .	Indefinitely postponed.
180	Jan. 22 . .	A bill for an act requiring Township Trustees to a register of township orders and prescribing penalties . . . . .	Seller . . . . .	Mch. 7 . .	signed by Governor.
181	Jan. 22 . .	A bill for an act to authorize depositions to be taken to probate wills . . . . .	Shiveley . . . . .	Mch. 11 . .	Signed by Governor.
182	Jan. 22 . .	A bill for an act for the protection of hotel-keepers, inn-keepers, and boarding and eating house keepers, etc . . . . .	Shiveley . . . . .	Feb. 23 . .	Ordered engrossed.
183	Jan. 22 . .	A bill for an act fixing the compensation and prescribing the duties of certain State and county officers, and providing penalties for the violation of its provisions . . . . .	Stuart . . . . .	Jan. 22 . .	Referred to Committee on Fees and Salaries.
184	Jan. 22 . .	A bill for an act compelling insurance companies to pay the insured the full amount of policy, etc. . . . .	Tweaney . . . . .	Feb. 8 . .	Indefinitely postponed.

185	Jan. 22 . . .	A bill for an act relating to the manufacture and sale of articles constructed in whole or in part of gold or silver, or any alloy or imitation thereof, prescribing penalties and declaring an emergency . . . . .	Haggard . . . . .	Jan. 31	Indefinitely postponed.
186	Jan. 22 . . .	A bill for an act to amend section nine (9) of an act entitled an act concerning highways and supervisors thereof, approved March 2, 1883, repealing all laws in conflict therewith and declaring an emergency . . . . .	Collett . . . . .	McB. 9 . . .	Signed by Governor.
187	Jan. 22 . . .	A bill for an act repealing section 279 of an act concerning proceedings in civil cases, approved April 7, 1881, being section 501 of the Revised Statutes of 1881, and declaring an emergency . .	Alexander. . . . .	Jan. 31 . . .	Indefinitely postponed.
188	Jan. 22 . . .	A bill for an act entitled an act prescribing certain duties of persons, firms and corporations operating telephone exchanges, etc. . . . .	Mull . . . . .	Jan. 22	Referred to Committee on Corporations.
189	Jan. 22 . . .	A bill for an act to prevent blindness in children, and providing a penalty therefor . . . . .	Phares . . . . .	Feb. 25 . . .	Amended and recommended to pass.
190	Jan. 22 . . .	A bill for an act to amend sections 1 and 3 of an act entitled an act relative to the printing, binding and distribution of the acts, etc. . . . .	Seller . . . . .	Jan. 22 . . .	Referred to Committee on Judiciary.

## SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
191	Jan. 22 . .	A bill for an act to divide the State of Indiana into Congressional districts and repealing all laws and parts of laws in conflict therewith . . . . .	Cranor . . .	Jan. 22 . .	Referred to Committee on Congressional Apportionment.
192	Jan. 22	A bill for an act to amend section 255 of an act entitled an act concerning proceedings in civil cases, etc. . . . .	Collett . . . . .	Feb. 12 .	Failed to pass.
193	Jan. 22 . .	A bill for an act to amend section 1 of an act entitled an act authorizing the appointment of shorthand reporters for certain courts of record in this State .	Alexander . . . . .	Mar. 11 . .	Signed by Governor.
194	Jan. 22 . .	A bill for an act defining the Twenty-sixth Judicial Circuit, etc . . . . .	LaFollette . . . . .	Feb. 20 . .	Indefinitely postponed.
195	Jan. 22 . .	A bill for an act to appropriate the sum of \$1,419 to reimburse Robert T. Overman, etc. . . . .	Newby . . . . .	Mar. 9 . .	Signed by Governor.
196	Jan. 23 . .	A bill for an act to amend sections 196 and 207 of an act entitled an act concerning proceedings in criminal cases, etc. .	Alexander . . . . .	Feb. 4 . .	Indefinitely postponed.

197	Jan. 23 . .	A bill for an act to establish a Department of Public Parks in cities having more than one hundred thousand population . . . . .	Crumpacker . . .	Feb. 26 . .	Passed and transmitted to House.
198	Jan. 23	A bill for an act to provide for the removal of obstructions, straightening and otherwise improving the Kankakee River, etc . . . . .	Crumpacker . . .	Feb. 4 . .	Indefinitely postponed.
199	Jan. 23 . .	A bill for an act entitled an act to amend section 1 of an act entitled an act to amend section 2 of an act approved March 4, 1853, to amend the 18th, 24th, 25th and 26th sections of an act entitled an act regulating decedents and the apportionment of estates, approved May 14, 1862 . . . . .	Kern . . . . .	Feb. 7 . .	Indefinitely postponed
200	Jan. 23 . .	A bill for an act to amend section four (4) of an act entitled an act to repeal an act to amend the first and thirteenth sections of an act to establish Superior Courts, etc . . . . .	Kern . . . . .	Feb. 20 . .	Passed and transmitted to House
201	Jan. 23 . .	A bill for an act providing for burial permits in all cases of death, making death reports, providing penalties and declaring an emergency . . . . .	LaFollette . . .	Feb. 25 . .	Indefinitely postponed.
202	Jan. 23 . .	A bill for an act to provide for the establishment of an Industrial Home for the Blind, etc . . . . .	McLean . . . . .	Feb. 28 . .	Failed of passage for lack of constitutional majority.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
203	Jan. 23 . .	A bill for an act concerning licenses, fixing fees therefor, etc . . . . .	Mull . . . . .	Jan. 23 . .	Referred to Committee on Agriculture.
204	Jan. 23 . .	A bill for an act to legalize the incorporation of the town of Alton, Crawford County, Indiana, etc . . . . .	Self . . . . .	Feb. 14 . .	Signed by Governor.
205	Jan. 23 . .	A bill for an act to amend sections 1, 2, 5, 6, 7, 8 and 10 of an act entitled an act concerning the construction of free gravel roads, etc . . . . .	Seller . . . . .	Mch. 7 . .	Signed by Governor.
206	Jan. 23 . .	A bill for an act defining certain misdemeanors and fixing punishments for the violation thereof . . . . .	Seller . . . . .	Jan. 25 . .	Indefinitely postponed.
207	Jan. 23 . .	A bill for an act concerning libel in civil and criminal cases . . . . .	Shiveley . . . . .	Feb. 20 . .	Passed and transmitted to House.
208	Jan. 23 . .	A bill for an act to amend section 1 of an act fixing the salary of Township Assessors and Trustees, etc . . . . .	Shiveley . . . . .	Jan. 23 . .	Referred to Committee on Cities and Towns.



210	Jan. 23 . . .	an act to amend an act relating to the duties of the County Coroners . . . . .	White . . . . .	Feb. 28 . .	Signed by Governor.
211	Jan. 23 . .	A bill for an act to amend section one and two of an act entitled an act to abolish the office of and Board of Trustees of Water Works, in cities and incorporated towns, etc. . . . .	Humphreys . .	Feb. 28 . .	Passed and transmitted to House.
212	Jan. 24 . .	A bill for an act authorizing Prosecuting Attorneys to administer oaths in certain cases . . . . .	Vail . . . . .	Mar. 7 . .	Signed by Governor.
213	Jan. 24 . .	A bill for an act to amend sections 14, 17, 18, 23, 26, 31, 38, 47, 51, 52, 54, 55, 59, 60, 61, 63, 64, 73, 74, 77, 81, 85, 86, 87, 88, 89, 90, 91, 93, 94, 109, 115, 116, 122, 131 and 148 of an act concerning the incorporation and government of cities, etc. . . . .	Seller . . . . .	Feb. 13 . .	Passed and transmitted to House.
214	Jan. 24 . .	A bill for an act to amend sections four (4), fifty (50) and fifty-three (53) of an act entitled an act concerning taxation, etc . . . . .	McCutchan . . . . .	Feb. 4 . .	Passed and transmitted to the House.
215	Jan. 24 . .	A bill for an act appropriating money for the claim of Timothy T. Sheehan, etc. . . . .	Wishard . . . . .	Jan. 24 . .	Referred to Committee on Finance.
			Wishard . . . . .	Mar. 9 . .	Signed by Governor.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
216	Jan. 24 . .	A bill for an act to license, regulate and prohibit the keeping or harboring of dogs, etc. . . . .	Wishard .	Feb. 14 . .	Indefinitely postponed.
217	Jan. 24 . .	A bill for an act regulating and prescribing the manner of procedure by County Commissioners, Township Trustees, etc. . . . .	Wishard . . . .	Jan. 24 . .	Referred to Committee on County and Township Business.
218	Jan. 24 . .	A bill for an act for the protection of fish.	Wishard . . . .	Feb. 1 . .	Indefinitely postponed.
219	Jan. 24 . .	A bill for an act concerning pensions for disabled or retired firemen and dependents of deceased firemen, etc. . .	McCutchan . . .	Feb. 13 . .	Indefinitely postponed.
220	Jan. 24	A bill for an act requiring instruction and practice in common schools of cities and certain educational institutions of physical culture . . . . .	McCutchan . . .	Feb. 28 . .	Indefinitely postponed.
221	Jan. 24 . .	A bill for an act to amend section 11 of an act entitled an act providing for the settlement and distribution of decedent's estates, etc. . . . .	McCord . . . . .	Feb. 12 . .	Passed and transmitted to House.

223	Jan. 24	Division of money between executor or administrator upon final settlement, etc. . . . .	Alexander. . . . .	Feb. 4	Indefinitely postponed.
224	Jan. 24	A bill for an act providing for the creation of the office of State Bacteriologist, etc. . . . .	Gifford . . . . .	Feb. 23	Ordered engrossed.
225	Jan. 24	A bill for an act to amend section 6 of an act entitled an act defining who are persons of unsound mind, etc. . . . .	Kern (by request)	Feb. 20	Passed and referred to House.
226	Jan. 24	A bill for an act entitled an act to define the qualification of County Superintendents . . . . .	McDonald . . . . .	Feb. 2	Failed to pass.
227	Jan. 24	A bill for an act to provide for a record of persons receiving aid from public funds, etc. . . . .	Newby . . . . .	Feb. 11	Signed by Governor.
228	Jan. 24	A bill for an act defining the duties of Notaries Public . . . . .	Newby . . . . .	Feb. 7	Indefinitely postponed.
229	Jan. 24	A bill for an act to amend section 39 of an act entitled an act to amend an act entitled an act to provide for a general system of common schools, etc. . . . .	Self . . . . .	Feb. 5	Indefinitely postponed.
		A bill for an act to enable attorneys at law to secure and collect fees in certain cases, etc. . . . .	Stuart. . . . .	Feb. 27	Passed and transmitted to House.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
230	Jan. 24 . .	A bill for an act to amend section 529 of an act entitled an act concerning proceedings in civil cases, approved April 7, 1881, etc . . . . .	Crumpacker . . .	Mch. 11 . .	Reported back with recommendations.
231	Jan. 24 . .	A bill for an act to amend section one of an act entitled an act concerning the purchase of toll roads, etc . . . . .	Crumpacker . . .	Feb. 28 . .	Passed and transmitted to House.
232	Jan. 24 . .	A bill for an act to amend section 1 of an act entitled an act concerning the organization and perpetuity of voluntary associations, etc . . . . .	Wray . . . . .	Feb. 5 . .	Substitute bill recommended.
233	Jan. 24 . .	A bill for an act to encourage agriculture and horticulture and agricultural and horticultural fairs by the purchase of real estate for such purposes . . . . .	Wray . . . . .	Feb. 13 . .	Passed and transmitted to the House.
234	Jan. 24 . .	A bill for an act to amend an act to amend section 1 of an act to amend section 8 of an act entitled an act to repeal all general laws now in force for the incorporation of cities, etc . .	Holler . . . . .	Mch. 11 . .	Reported back without recommendations.

	Indiana into Congressional Districts . . .			ment.
236	Jan. 25. . . . . A bill for an act to amend sections 173 and 176 of an act concerning crimes against public policy, etc. . . . .	Thayer . . . . .	Mch. 11. . . . .	Reported back without recommendation.
237	Jan. 25. . . . . A bill for an act creating and defining the 33d, 34th and 54th judicial circuits of the State of Indiana, etc. . . . .	Vail . . . . .	Feb. 14. . . . .	Indefinitely postponed.
238	Jan. 25. . . . . A bill for an act providing for changes of venue from Justices of the Peace in certain cases. . . . .	Newby . . . . .	Mch. 9. . . . .	Signed by Governor.
239	Jan. 25. . . . . A bill for an act to amend section 56 of an act concerning procedures in criminal cases and declaring an emergency. . . . .	Newby . . . . . (By request)	Mch. 11. . . . .	Reported back without recommendation.
240	Jan. 29. . . . . A bill for an act to appropriate money for the payment of the claim of Mrs. Sarah May against the State of Indiana, and declaring an emergency. . . . .	Boord. . . . .	Feb. 28. . . . .	Recommended to pass.
241	Jan. 29. . . . . A bill for an act to amend an act entitled an act for the protection of discharged employees, and to prevent blacklisting, approved March 9, 1889 . . . . .	McLean. . . . .	Feb. 14. . . . .	Indefinitely postponed.
242	Jan. 29. . . . . A bill for an act amending section 1 of an act approved March 9, 1889, concerning mechanics' liens, and declaring an emergency. . . . .	Beck . . . . .	Feb. 12. . . . .	Passed and transmitted to House.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
243	Jan. 29 . .	A bill for an act providing for a name for each of the insane asylums of the State, providing for the government of such institutions, etc . . . . .	Boyd . . . . .	Feb. 11 . .	Ordered printed.
244	Jan. 29 . .	A bill for an act to prevent the pollution of lakes, ponds and streams of water in the State of Indiana, etc . . . . .	Baker . . . . .	Mar. 2 . .	Failed to pass.
245	Jan. 29 . .	A bill for an act for the better securing of wages to workmen and laborers in the State of Indiana, etc . . . . .	McDonald . . . . .	Feb. 28 . .	Substitute bill and recommended to pass.
246	Jan. 29 . .	A bill for an act to amend sections 3 and 12 of an act entitled an act for the incorporation of building, loan fund and savings associations, etc. . . . .	Newby, by request	Feb. 19 . .	Recommitted to Committee on Corporations.
247	Jan. 29 . .	A bill for an act to amend section 1 of an act entitled an act providing notice of the pendency and hearing of petitions of executors and administrators for the sale of real estate, etc. . . . .	Sell . . . . .	Feb. 1 . . . .	Indefinitely postponed.

248	Jan. 29 . . .	A bill for an act to regulate the sale of patent rights, etc . . . . .	Seller . . . . .	Feb. 14 . .	Indefinitely postponed.
249	Jan. 29 . .	A bill for an act to amend section 1 of the act of March 9, 1889, providing for the bidding in and sale of lands mortgaged to secure school loans for title in full	Seller . . . . .	Feb. 20 . .	Passed.
250	Jan. 29 . .	A bill for an act authorizing township trustees to levy a tax for the increase and maintenance of libraries, etc . .	Shiveley . . . .	Mch. 11 . .	Signed by Governor.
251	Jan. 29 . .	A bill for an act concerning the education of children, fixing the time during which such children shall attend school, etc. . . . .	Gifford . . . . .	Feb. 28 . .	Passed.
252	Jan. 29 . .	A bill for an act to amend section 4 of an act entitled an act to amend sections 39, 42, 44 and 54 of an act for the incorporation of insurance companies, etc. . . . .	Boyd . . . . .	Feb. 20 . .	Passed the Senate.
253	Jan. 29 . .	A bill for an act making appropriations for additional compensation to Joseph P. Pope for extra services as Quartermaster-General of the State, and declaring an emergency . . . . .	Boyd . . . . .	Jan. 29 . .	Referred to Committee on Claims.
254	Jan. 29 . .	A bill for an act to legalize the records and acts of the Common Council of the city of Lebanon, Boone County, Indiana, etc . . . . .	Wishard . . . .	Feb. 28 . .	Signed by Governor.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
255	Jan. 29	A bill for an act to amend section 236 of an act entitled an act concerning taxation, etc . . . . .	Wishard. . . . .	Feb. 14	Indefinitely postponed.
256	Jan. 29	A bill for an act regulating the business of insurance in this State carried on by non-residents, etc . . . . .	Kern . . . . .	Feb. 20 . .	Passed and transmitted to the House.
257	Jan. 29 . .	A bill for an act providing for the taxation of witness fees in cases of misdemeanor, etc . . . . .	Vail . . . . .	Feb. 18	Ordered engrossed.
258	Jan. 29	A bill for an act entitled an act to regulate sleeping-car service on passenger trains within the State of Indiana, and to define the charges for such service.	Boyd . . . . .	Jan. 29	Referred to Committee on Corporations.
259	Jan. 29 . .	A bill for an act to amend sections 3, 4, 5, 9, 15 and 26 of an act entitled an act concerning drainage under specified conditions, and declaring an emergency, approved March 7, 1891 . . . .	Phares . . . .	Jan. 29 . .	Referred to Committee on Swamp Lands and Drains.



260	Jan. 29 . . .	A bill for an act to amend section 1 of an act to amend section 114 of an act entitled an act to provide for a general system of common schools, etc. . . .	Phares . . .	Mch. 2 . . .	Indefinitely postponed.
261	Jan. 29 . . .	A bill for an act regulating the liabilities of common carriers in the transportation of passengers and property, etc. . . .	Sweeney. . . .	Feb. 7 . . .	Ordered printed.
262	Jan. 29 . . .	A bill for an act entitled an act for the encouragement of agriculture, making an annual appropriation to the Indiana State Board of Agriculture for the payment of premiums, and declaring an emergency . . . . .	Wishard . . . .	Mch. 7 . . .	Signed by Governor.
263	Jan. 29 . . .	A bill for an act to provide for the erection of monuments and tablets to mark the positions of Indiana troops on the battlefield of Chickamauga, and declaring an emergency . . . . .	Boyd . . . . .	Feb. 20 . . .	Recommended to pass.
264	Jan. 30 . . .	A bill for an act to provide for the benefit of the Indiana University, Purdue University and the Indiana State Normal School, and declaring an emergency . . . . .	Duncan . . . . .	Mch. 2 . . .	House Bill 384 substituted.
265	Jan. 30 . . .	A bill for an act entitled an act to amend section 422 of an act concerning proceedings in civil cases, etc. . . . .	Duncan . . . . .	Feb. 20 . . .	Passed and transmitted to House.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
266	Jan. 30 .	A bill for an act to amend sections 78 and 79 of an act entitled an act concerning the incorporation, government of cities having more than thirty-five thousand (35,000) and less than forty-nine thousand (49,000) population, etc . . . . .	Ellison . . . . .	Feb. 11 . .	Signed by Governor.
267	Jan. 30 .	A bill for an act entitled an act to amend section 1 of an act entitled an act to amend section 1 of an act entitled an act concerning the organization and perpetuity of voluntary associations, etc . . . . .	Haggard . .	Feb. 26 . .	Amended and ordered engrossed.
268	Jan. 30 . .	A bill for an act to prevent and punish the adulteration or mixing of meats, and regulating the sale thereof when adulterated or mixed . . . . .	Holler . . . . .	Feb. 20 . .	Passed and transmitted to House.
269	Jan. 30 . .	A bill for an act authorizing townships and counties in this State to construct and repair, or aid in the construction and repairing, of bridges, etc . . . . .	Houghton . . . . .	Feb. 9 . .	Signed by Governor.

270	JAN. 30 .	A bill for an act regulating the stopping of passenger trains on railroads running passenger trains within the State of Indiana, prescribing a penalty for the violation thereof, and declaring an emergency. . . . .	Mull . . . . .	Jan. 30 .	Referred to Committee on Railroads.
271	Jan. 30 .	A bill for an act supplemental to an act approved March 9, 1891, relating to partition fences and trespassing animals, and declaring an emergency . .	Parker . . . . .	Feb. 14	Recommended to pass.
272	Jan. 31 .	A bill for an act to regulate the purchase of blank books, blanks and stationery, etc. . . . .	Bethel . . . . .	Jan. 31 .	Referred to Committee on County and Township Business.
273	Jan. 31 .	A bill for an act entitled an act to promote the science of medicine and surgery by providing methods whereby human subjects for anatomical and scientific dissection and experiment may be lawfully obtained, etc. . . .	Bethel . . . . .	Mar. 2 .	Recommended to pass from Special Committee.
274	Jan. 31 .	A bill for an act to abolish days of grace.	Kern . . . . .	Feb. 7 .	Recommended to pass.
275	Jan. 31 .	A bill for an act to amend section 2071 of the Revised Statutes of 1891, which regulates the sale of milk, and declaring an emergency . . . . .	Kern . . . . .	Jan. 31 .	Referred to Committee on Public Health.
276	Jan. 31 .	A bill for an act to amend section 5 of an act entitled an act concerning grand and petit juries, etc. . . . .	LaFollette . . .	Feb. 12 .	Passed and transmitted to House.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
277	Jan. 31 . .	A bill for an act to amend section 2 of an act entitled an act to authorize Township Trustees of incorporated towns and the Common Councils of cities to levy a tax for school purposes, and declaring an emergency. . . . .	Parker . . . .	Mch. 11 . .	Reported back without Recommendations.
278	Jan. 31	A bill for an act to amend section 1 of an act entitled an act to amend section 114 of an act entitled an act to provide for a general system of common schools, etc. . . . .	Parker . . . .	Feb. 14 . .	Ordered printed.
279	Jan. 31 . .	A bill for an act for the better regulating of proceedings in the matters of receivers, assignees and trustees of express trusts . . . . .	Seller . . . . .	Feb. 28 . .	Recommended to pass.
280	Jan. 31 . .	A bill for an act entitled an act to amend section 206 of an act entitled an act continuances in criminal causes, etc. .	Watson . . . .	Feb. 6 . .	Indefinitely postponed.
281	Jan. 31 . .	A bill for an act to provide for the removal of obstructions, straightening and otherwise improving the Kankakee River, etc. . . . .	Holler . . . .	Jan. 31 . .	Referred to Committee on Swamp Lands and Drainage.

283	Jan. 31 . . .	an act to incorporate the Western Mutual Life Insurance and Trust Company, approved February 15th, 1889, and declaring an emergency. . . . .	Wishard . . . . .	Feb. 20 .	Recommended to pass.
284	Jan. 31 . . .	A bill for an act to provide for a revision of the statute laws of the State of Indiana in relation to municipal corporations, etc. . . . .	Shiveley. . . . .	Feb. 15 .	Withdrawn by author.
285	Jan. 31 . . .	A bill for an act making an appropriation for the purposes of encouraging and promoting the study of agriculture through county institutes, and declaring an emergency . . . . .	Humphreys . . . . .	Feb. 28 .	Passed and transmitted to House.
286	Jan. 31 . . .	A bill for an act declaring certain roads public highways, and declaring an emergency. . . . .	Humphreys . . . . .	Feb. 12 .	Passed and transmitted to House.
287	Jan. 31 . . .	A bill for an act to amend section 186, being section 2094, R. S. 1881, and section 2180, R. S. 1894, of an act . . . . .	Seller . . . . .	Feb. 22 .	Indefinitely postponed.
288	Jan. 31 . . .	A bill for the regulation of compensation for legal advertisements in county and township business . . . . .	Schneck. . . . .	Feb. 11 .	Indefinitely postponed.
	Jan. 31 . . .	A bill for an act defining a misdemeanor and fixing a punishment for the violation thereof . . . . .	Seller. . . . .	Feb. 4 .	Passed and transmitted to House.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
289	Jan. 31 . .	A bill for an act supplemental to the act entitled an act concerning proceedings in civil cases, etc. . . . .	Parker . . . .	Feb. 20 . .	Passed and transmitted to House.
290	Feb. 1 . .	A bill for an act for the protection of owners and keepers of hotels, inns, restaurants, boarding and eating houses, etc. . . . .	Cranor . . . . . (By request.)	Feb. 27 . .	Passed and transmitted to House.
291	Feb. 1 . .	A bill for an act for the appointment of a Superintendent of the State Capitol and grounds, etc. . . . .	Duncan . . . .	Feb. 1 . .	Referred to Committee on Public Buildings.
292	Feb. 1 . .	A bill for an act to amend sections 1 and 2 of an act entitled an act fixing the number of the trustees of the Purdue University, etc. . . . .	Haggard . . . .	Mar. 9 . .	Signed by the Governor.
293	Feb. 1 . .	A bill for an act to amend an act entitled an act providing for notice of the pendency and hearing of petitions by executors and administrators, etc. . . . .	Mull . . . . .	Feb. 20 . .	Passed and transmitted to House.

294	Feb. 1.	A bill for an act to provide for the periodical enumeration of the male inhabitants of this State over the age of twenty-one years, etc. . . . .	O'Brien . . . . .	Feb. 25	Recommended to pass.
295	Feb. 1.	A bill for an act to make it a misdemeanor for any one person to obstruct a ditch or drain, etc. . . . .	O'Brien . . . . .	Feb. 18.	Ordered engrossed.
296	Feb. 1.	A bill for an act constituting the Board of Commissioners of any county in this State a Board of Turnpike Directors . . . . .	Phares . . . . .	Feb. 6.	Indefinitely postponed.
297	Feb. 1.	A bill for an act for the protection of fish.	Holler. . . . .	Feb. 20.	Passed and transmitted to House.
298	Feb. 1.	A bill for an act to amend section 114 of an act fixing the compensation and prescribing the duties of certain State and county officers, etc. . . . .	McLean . . . . .	Feb. 1.	Referred to Committee on Fees and Salaries.
299	Feb. 1.	A bill for an act to amend section 4 of an act entitled an act concerning husband and wife, etc. . . . .	Johnston . . . . .	Feb. 14.	Indefinitely postponed.
300	Feb. 1.	A bill for an act to amend sections 1 and 2 of an act to encourage the study of agriculture, etc. . . . .	Mull . . . . . (By request.)	Feb. 1.	Referred to Committee on Agriculture.
301	Feb. 4	A bill for an act to amend section 399 and to repeal sections 400 and 401 of an act entitled an act concerning proceedings in civil cases, etc. . . . .	Kern . . . . .	Feb. 8	Indefinitely postponed.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
302	Feb. 4 . .	A bill for an act to legalize the incorporation of the town of Leavenworth, in Crawford County, Indiana, etc . . .	Self . . . . .	Feb. 20 . .	Passed and transmitted to House.
303	Feb. 4 . .	A bill for an act entitled an act regulating the subject of horse racing, etc. . . .	Seller . . . . .	Mch. 1	Passed and transmitted to House.
304	Feb. 4 . .	A bill for an act to amend section 276 of an act entitled an act concerning proceedings in civil cases, approved April 7, 1881, and declaring an emergency .	Seller . . . . .	Feb. 28 . .	Recommended to pass.
305	Feb. 4 . .	A bill for an act to amend section 2 of an act entitled an act to enable incorporated towns to lay out, open, grade and improve streets and alleys, etc	Boyd . . . . .	Feb. 7 . .	Recommended to pass.
306	Feb. 4 . .	A bill for an act defining the First and Eleventh Judicial Circuits, etc . . .	McCutchan . .	Feb. 14 . .	Indefinitely postponed.
307	Feb. 4 . .	A bill for an act concerning cities and towns of less than 35,000 inhabitants and the manner of collecting assessments by such cities and towns, and declaring an emergency . . . . .	Cranor . . . . .	Feb. 12 . .	Passed and transmitted to House.



	Feb.		Parker . . . . .	Feb. 20 . .	Passed and transmitted to House.
309	Feb. 5 . .	A bill for an act to amend section 9 of an act entitled an act to amend sections 2, 15, 19, 23, 26, 29, 34, 44, 45, 46, 47, 52 and 65 of an act entitled an act concerning elections, etc . . . . .	Barnes . . . . .	Feb. 14	Referred to Committee on Elections.
310	Feb. 5 . .	A bill for an act to amend section 1 of an act to permit the formation of drainage districts, etc . . . . .	McLean . . . . .	Feb. 28 . .	Recommended to pass.
311	Feb. 5 . .	A bill for an act requiring, in common schools and certain educational institutions, the teaching of the effects of alcoholic drinks and narcotics on the human system . . . . .	Newby . . . . .	Feb. 28	Passed and transmitted to House.
312	Feb. 5 . .	A bill for an act supplemental to an act on the subject of lawful fences, partition fences, etc . . . . .	O'Brien . . . . .	Mch 2	Passed and transmitted to House.
313	Feb. 5 . .	A bill for an act to amend section 258 of an act concerning proceedings in civil cases, etc . . . . .	Parker . . . . .	Feb 21 .	Passed and transmitted to House.
314	Feb. 5 . .	A bill for an act to amend section 152 of an act entitled an act concerning taxation, and repealing all laws in conflict therewith, and declaring an emergency, approved March 6, 1891 . . . . .	Self. . . . .	Feb. 11 . .	Indefinitely postponed.

## SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
315	Feb. 5 . .	A bill for an act authorizing political parties to have witnesses or watchers to the count of ballots, etc. . . . .	Self. . . . .	Mich. 11 . .	Reported back without recommendation.
316	Feb. 5 . .	A bill for an act appropriating money in payment of the claim of Andrew M. Sweeney for copying order books one, six and thirteen of the Supreme Court of the State . . . . .	Seller . . . . .	Mich. 2 . .	Recommended to pass.
317	Feb. 5 . .	A bill for an act to provide for indemnifying parties whose property may be destroyed in consequences of mobs and riots . . . . .	Vail . . . . .	Feb. 5 . .	Referred to Committee on Judiciary.
318	Feb. 5 . .	A bill for an act providing for issuance and sale of bonds for the purpose of purchasing grounds and the erection of buildings for school purposes, and declaring an emergency . . . . .	Vail . . . . .	Feb. 13 . .	Passed and transmitted to House.
319	Feb. 5 . .	A bill for an act concerning the cutting down and destroying of briars, thistles, burrs, docks, and other noxious weeds by owners of land along public highways . . . . .	Vail . . . . .	Feb. 11 . .	Indefinitely postponed.

320	Feb. 5 . .	A bill for an act providing for the election of all Judges of courts of general and appellate jurisdiction, etc. . . .	McDonald . . . .	Feb. 22 . .	Indefinitely postponed.
321	Feb. 6 . .	A bill for an act authorizing the Governor of the State, in his own name, to issue temporary restraining orders, etc., and declaring an emergency. . . .	Parker . . . . .	Feb. 28 . .	Recommended to pass.
322	Feb. 6 . .	A bill for an act providing who may act as a detective or spy, and under what conditions and in what territory, etc. .	Parker . . . . .	Feb. 20 . .	Passed and transmitted to House.
323	Feb. 6 . .	A bill for an act providing for the construction of free gravel, stone or other macadamized roads, and providing for their location, etc., and declaring an emergency. . . . .	Houghton . . . . .	Mch. 11 . .	Recommended to be printed.
324	Feb. 6 . .	A bill for an act to amend section 1 of an act approved March 6, 1891, entitled an act to amend section 1 and section 15 of an act providing for voluntary assignments, etc., and declaring an emergency. . . . .	Collett . . . . .	Feb. 28 . .	Indefinitely postponed.
325	Feb. 6 . .	A bill for an act concerning street railroad companies, constructing inter-urban and suburban street railroads, etc., and declaring an emergency. . .	Baker . . . . .	Feb. 20 . .	Referred back to author.

## SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
338	Feb. 6	A bill for an act to amend sections 46 and 61 of an act entitled an act concerning proceedings in criminal cases, etc . .	McDonald . . .	Mich. 11 .	Signed by Governor.
339	Feb. 6	A bill for an act to amend section 1 of an act entitled an act concerning public offenses and their punishment, etc . .	McDonald. . .	Mich. 1 . .	Failed to pass.
340	Feb. 6	A bill for an act to amend section 213 and to repeal section 212 of an act entitled an act concerning public offenses, etc . . . . .	McDonald. . . . .	Feb. 28 . .	Recommitted to committee.
341	Feb. 6 . .	A bill for an act to amend section 1 of an act entitled an act for the relief of the poor, etc . . . . .	Baker . . . . (By request.)	Feb. 25	Indefinitely postponed.
342	Feb. 6 . .	A bill for an act to provide for the appointment of commissioners to locate the important positions occupied by Indiana soldiers in and during the battles of Chickamauga, Lookout Mountain and Missionary Ridge, etc.	L. A. Follette . .	Feb. 6 . .	Referred to Committee on Military Affairs.

331	Feb. 6 . . .	A bill for an act to amend section 2 of an act entitled an act for the protection of discharged employes, and to prevent black-listing, etc. . . . .	McLean . . . . .	Feb. 11 . . .	Signed by Governor.
332	Feb. 5 . . .	A bill for an act to amend section 3 of an act to regulate and license the sale of spirituous, vinous and malt and other intoxicating liquors, etc. . . . .	O'Brien . . . . .	Feb. 6 . . .	Referred to Committee on Temperance.
333	Feb. 6 . . .	A bill for an act to provide for the appointment of commissioners for the promotion of uniformity of legislation in the United States and declaring an emergency. . . . .	Parker . . . . .	Feb. 25 . . .	Ordered printed.
334	Feb. 6 . . .	A bill for an act concerning licenses, fixing fees therefore, providing for the collection and application thereof, etc.	Duncan . . . . .	Feb. 28 . . .	Indefinitely postponed
335	Feb. 6 . . .	A bill for an act providing for the trimming and cutting of hedge or live partition fences, and providing for its enforcement. . . . .	Phares . . . . .	Feb. 16 . . .	Amended and ordered engrossed.
336	Feb. 6 . . .	A bill for an act prescribing the duties of manufacturers and vendors of patent medicines and providing a penalty for its violation. . . . .	Phares . . . . .	Feb. 28 . . .	Recommended to pass.
337	Feb. 6 . . .	A bill for an act to amend sections 2, 3 and 5 of an act defining who are persons of unsound mind, etc. . . . .	Wray . . . . .	Feb. 11 . . .	Signed by Governor.

# SENATE BILLS—Continued.

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No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
338	Feb. 6	A bill for an act to amend sections 46 and 61 of an act entitled an act concerning proceedings in criminal cases, etc . .	McDonald . . .	Mch. 11 .	Signed by Governor.
339	Feb. 6	A bill for an act to amend section 1 of an act entitled an act concerning public offenses and their punishment, etc . .	McDonald. . .	Mch. 1 . .	Failed to pass.
340	Feb. 6	A bill for an act to amend section 213 and to repeal section 212 of an act entitled an act concerning public offenses, etc . . . . .	McDonald. . . . .	Feb. 28 . .	Recommitted to committee.
341	Feb. 6 . .	A bill for an act to amend section 1 of an act entitled an act for the relief of the prior, etc . . . . .	Baker . . . . (By request.)	Feb. 25	Indefinitely postponed.
342	Feb. 6 . .	A bill for an act to provide for the appointment of commissioners to locate the important positions occupied by Indiana soldiers in and during the battles of Chickamauga, Lookout Mountain and Missionary Ridge, etc.	L. A. Follette . .	Feb. 6 . .	Referred to Committee on Military Affairs.

344	Feb. 6 . .	ing State banks, savings banks, private banks, trust companies, etc . . . . .	McCord . . . . .	Feb. 6 . .	Referred to Committee on Corporations.
		A bill for an act providing for a right of and a method for testing the validity of statutes and ordinances enacted and ordained in the State, and other matters connected therewith . . . . .	Seller . . . . .	Feb. 26 . .	Failed to pass.
345	Feb. 6 . .	A bill for an act fixing the compensation and prescribing the duties of certain State and county officers, and providing penalties for the violation of its provisions . . . . .	O'Brien . . . . .	Feb. 28 . .	Recommended to pass.
346	Feb. 7	A bill for an act legalizing plats of additions to cities and towns and of subdivisions of sections, and declaring an emergency . . . . .	Crumpacker .	Mch. 4 . .	Passed and transmitted to House.
347	Feb. 7 . .	A bill for an act regulating the powers and duties of Township Trustees, and declaring an emergency . . . . .	Crumpacker . .	Mch. 11 . .	Reported back without recommendation.
348	Feb. 8 . .	A bill for an act to authorize the organization and incorporation of mutual insurance companies, etc . . . . .	Phares . . . . .	Feb. 8 . .	Referred to Committee on Insurance.
349	Feb. 8 . .	A bill for an act declaring the twelfth day of February, commonly called Lincoln's Birthday, a legal holiday within this State . . . . .	Gifford . . . . .	Feb. 28 . .	Recommitted to committee.

## SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
350	Feb. 11 . .	A bill for an act entitled an act prohibiting the publication or sale on pernicious literature and providing for the punishment for the violation of the same . . . . .	Barnes . . . . .	Mar. 11 . .	Signed by Governor.
351	Feb. 11 . .	A bill for an act defining certain duties fixing the compensation of clerks of Circuit, Superior and Criminal Courts, county officers, etc . . . . .	Cranor . . . . .	Feb. 14 . .	Ordered printed.
352	Feb. 11 . .	A bill for an act to legalize and render valid the records of the Circuit and Superior Courts of the Various counties of the State of Indiana; also to legalize all sheriff's sales of real estate, etc . . . . .	Gifford . . . . .	Mar. 11 . .	Signed by Governor.
353	Feb. 11 . .	A bill for an act to provide for the creation of water-way from Lake Michigan to the head of navigation on the Wabash River, etc . . . . .	Haggard . . . . .	Feb. 25 . .	Passed and transmitted to House.
354	Feb. 11 . .	A bill for an act to protect a person who has been injured physically and has been awarded a judgment for such injury . . . . .	Boyd (by request) . . . . .	Feb. 22 . .	Indefinitely postponed.



355	Feb. 11 . . .	A bill for an act concerning deeds executed upon illegal or invalid tax sales, providing for the release of the lien thereof, and declaring an emergency . . . . .	Seller . . . . .	Feb. 27 . .	Passed and transmitted to House.
356	Feb. 11 . .	A bill for an act entitled an act to amend section 10 of an act entitled an act to provide for the more uniform mode of doing township business . . . . .	Wishard . . . . .	Feb. 14 . .	Recommended to pass.
357	Feb. 11 . .	A bill for an act to amend section 1 of an act entitled an act regulating foreign insurance companies, etc. . . . .	Wishard . . . . .	Mch. 11 . .	Reported back without recommendation.
358	Feb. 11 . .	A bill for an act to amend sections 206 and 207 of an act concerning proceedings in criminal cases, etc. . . . .	Wray . . . . .	Feb. 22 . .	Indefinitely postponed.
359	Feb. 11 . .	A bill for an act concerning sewer improvements in cities having more than 30,000 and less than 85,000 population, and declaring an emergency . . . . .	McLean . . . . .	Mch. 9 . .	Signed by Governor.
360	Feb. 11 . .	A bill for an act entitled an act to amend sections 3, 8, 12, 20, 21 and 65 in the charter of Vernon, Jennings County, Indiana . . . . .	Barnes . . . . .	Mch. 7 . .	Signed by Governor.
361	Feb. 11 . .	A bill for an act concerning the building of free gravel roads by individuals and the duties of Boards of Commissioners in relation thereto . . . . .	Seller . . . . .	Feb. 26 . .	Passed and transmitted to House.

## SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
362	Feb. 11 . .	A bill for an act to amend section 1 of an act entitled an act concerning taxation, repealing all laws in conflict therewith, etc . . . . .	Baker . . . . .	Mch. 1 . .	Failed to pass.
363	Feb. 11 . .	A bill for an act fixing the punishment for the crime of embezzlement when the sum embezzled is less than twenty-five dollars, and declaring an emergency . . . . .	McCutchan . .	Mch. 1 . .	Passed and transmitted to House.
364	Feb. 11 . .	A bill for an act concerning public improvements in towns and cities having a population less than thirty-five thousand, etc . . . . .	O'Brien . . . . . (By request.)	Feb. 28 . .	Passed and transmitted to House.
365	Feb. 11 . .	A bill for an act to amend section 11 of an act entitled an act concerning taxation, etc . . . . .	Wishard . . . . .	Feb. 11 . .	Referred to Committee on Finance.
366	Feb. 11 . .	A bill for an act fixing the per diem of Township Trustees, designating the funds out of which the same shall be paid, etc. . . . .	Gifford . . . . .	Mch. 2 . .	Passed and transmitted to House.

368	Feb. 11 . . . . .	ing certain duties of persons, firms and corporations operating telephone exchanges, etc . . . . .	Gifford . . . . .	Feb. 11 . . . . .	Referred to Committee on Cities and Towns.
		A bill for an act to repeal sections 3162, 3163, 3164, 3165, 3357, 3358, 3359, 3360, 3363, 3364, 3365, 3366 of the Revised Statutes of 1881, and to repeal an act entitled an act concerning contracts made by the Common Council of cities, etc . . . . .	Kern . . . . .	Feb. 15 . . . . .	Recommended to pass.
369	Feb. 11 . . . . .	A bill for an act to amend sections 13 and 18 of an act entitled an act to authorize and regulate the incorporation of banks, etc . . . . .	McCord . . . . .	Mch. 1 . . . . .	Passed and transmitted to House.
370	Feb. 12 . . . . .	A bill for an act to appropriate money for a monument for the tomb of A. P. Willard, ex-Governor of the State of Indiana, in the Northern Cemetery, New Albany, Indiana . . . . .	Leyden . . . . .	Feb. 20 . . . . .	Passed and transmitted to House.
371	Feb. 12 . . . . .	A bill for an act for the relief of Theodore Price, Trustee of Riley Township; Joseph Crockett, Trustee of Sugar Creek Township; George Peters, Trustee of Pierson Township, and Robert Woods, Trustee of Nevins Township, of Vigo County, etc. . . . .	McLean . . . . .	Mch. 6 . . . . .	Signed by Governor.
372	Feb. 12 . . . . .	A bill for an act to legalize each and every official act of the several Boards of Trustees of the incorporated town of Warren, Huntington County, etc. . . . .	Rinear . . . . .	Feb. 23 . . . . .	Passed and transmitted to House.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
373	Feb. 12 . .	A bill for an act to amend section 114 of an act to provide for a general system of common schools, the offices thereof, etc . . . . .	Shiveley. . . .	Mich. 7 . .	Signed by Governor.
374	Feb. 12 . .	A bill for an act to make a compilation of the statutes of the State of Indiana, etc . . . . .	Newby . . . . .	Mich. 11 . .	Reported back without recommendations.
375	Feb. 12	A bill for an act for the payment of John H. Jack for military services rendered as Inspector-General of the State of Indiana . . . . .	Haggard. . . . .	Feb. 12 . .	Referred to Committee on Military Affairs.
376	Feb. 12 . .	A bill for an act concerning statistics, providing for the performance of certain duties by County Auditors, etc. . . .	Duncan . . . . .	Feb. 25 . .	Indefinitely postponed.
377	Feb. 12 . .	A bill for an act entitled an act providing for the establishment and administration of a free public library system, etc . . . . .	Duncan . . . . .	Feb. 14 . .	Indefinitely postponed.

			Crumpacker . . .	Feb. 14	Ordered printed.
379	Feb. 13 . .	station of Trustees of savings banks . .	Fillison . . . . .	Feb. 28 . .	Passed and transmitted to House.
380	Feb. 15 . .	A bill for an act to repeal sections 6, 7, 8, 9, 10, 11, 12, 13, and to amend sections 14 and 34 of an act concerning highways and Supervisors. . . . .	Baker . . . . .	Mich. 11 . .	Reported back without recommendation.
381	Feb. 15 . .	A bill for an act to amend section 5 of an act entitled an act to amend sections 1, 6, 19, 20 and 34 concerning highways and Supervisors . . . . .	McManus . . . . .	Feb. 22 . .	Indefinitely postponed.
382	Feb. 15 . .	A bill for an act to amend the title and section 1 of an act entitled an act to authorize the organization and incorporation of loan, trust and safe deposit companies. . . . .	McDonald . . . . .	Feb. 15	Referred to Committee on Corporations.
383	Feb. 15 . .	A bill for an act to define and punish frauds upon hotels, inns, boarding, eating, lodging houses and restaurants, etc . . . . .	Sweeney . . . . .	Mich. 2	Recommended to pass.
384	Feb. 15 . .	A bill for an act empowering the common councils of cities to authorize the construction of sewers, etc . . . . .	Sweeney . . . . .	Feb. 15 . .	Referred to Committee on Cities and Towns.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
385	Feb. 15 . .	An act to establish a Superior Court for the counties of Lake, Porter and LaPorte, etc . . . . .	Gostlin . . .	Mch. 11	Reported back without recommendation.
386	Feb. 15 . .	A bill for an act concerning pensions for disabled firemen and dependents of deceased firemen in cities, etc . . . .	Ellison . . . .	Feb. 19 . .	Indefinitely postponed.
387	Feb. 15 . .	A bill for an act relating to the construction and repair of bridges costing not to exceed seventy-five dollars, and repealing all laws in conflict herewith . .	Ellison . . . .	Feb. 26 . .	Recommended to pass.
388	Feb. 15 . .	A bill for an act concerning public libraries, and declaring an emergency . .	Ellison . . . .	Mch. 11	Reported back without recommendation.
389	Feb. 15 . .	A bill for an act concerning interest and usury . . . . .	Beck . . . . .	Feb. 15 . .	Referred to Committee on Agriculture.
390	Feb. 15 . .	A bill for an act providing for the drainage of lands and the improvement of water courses, etc . . . . .	Ellison . . . .	Feb. 15 . .	Referred to Committee on Swamps, Lands and Drains.

391	Feb. 15 . .	A bill for an act to amend section 1 of an act to amend section number sixteen (16) of an act entitled an act concerning real property and the alienation thereof, etc . . . . .	Boord . . . . .	Feb. 22 . .	Indefinitely postponed.
392	Feb. 15 . .	A bill for an act to amend section 1 of an act approved March 1, 1893, entitled an act to authorize the Common Council of any city to issue, negotiate and sell bonds, etc., and declaring an emergency. . . . .	Gostlin . . . . .	Mch. 7 . .	Signed by Governor.
393	Feb. 15 . .	A bill for an act providing for the consolidation of street railway and electric lighting companies in the State of Indiana. . . . .	Houghton . . . . .	Mar. 9 . .	Signed by Governor.
394	Feb. 15 . .	A bill for an act to regulate the liability of common carriers, and to fix the burden of proof in case of loss or injury to property . . . . .	Humphrey . . . . .	Feb. 15 . .	Referred to Committee on Railroads.
395	Feb. 15 . .	A bill for an act to repeal section 22 of an act entitled an act for the incorporation of insurance companies, defining their powers, and prescribing their duties, etc . . . . .	. . . . .	Feb. 28 . .	Passed and transmitted to House.
396	Feb. 15 . .	A bill for an act providing for the building of flood gates in ditches having an outlet in water courses, and which drains overflowed lands, and declaring an emergency . . . . .	McCutchan . . . . .	Feb. 28 . .	Recommended to pass.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
397	Feb. 15 . .	A bill for an act establishing a deaf and dumb school at Evansville, Indiana, and prescribing rules for the government of the same . . . . .	McCutchan . . .	Mich. 11 . .	Recommended do not pass.
398	Feb. 15 . .	A bill for an act to amend section 236 of an act entitled an act concerning taxation, repealing all laws in conflict therewith, etc . . . . .	McCutchan . . .	Feb. 25 . .	Recommended to pass.
399	Feb. 15 . .	A bill for an act to empower grand lodges of certain orders to take, hold and transfer shares of stock, etc . . . . .	McDonald. . . .	Mich. 11 . .	Signed by Governor.
400	Feb. 15 . .	A bill for an act providing for the release of lands from ditch assessments in certain cases, and declaring an emergency	Phares . . . . .	Feb. 28 . .	Indefinitely postponed.
401	Feb. 15 . .	A bill for an act to amend an act concerning elections, and providing penalties for the violation of the same . .	Phares . . . . .	Mich. 11 . .	Recommended to pass.
402	Feb. 15 . .	A bill for an act supplemental to an act regulating the practice of medicine . .	Phares . . . . .	Feb. 15 . .	Referred to Committee on Public Health, Vital and Other Statistics.



404	Feb. 15 . . .	CONSUMERS' GOODS chandise manufactured by convicts in other States . . . . .	Schneck . . . .	Mch. 2 .	Passed and transmitted to House.
405	Feb. 15 . . .	A bill for an act regulating the practice of medicine . . . . .	Self, by request .	Feb. 15	Referred to Committee on Public Health, Vital and Other Statistics.
406	Feb. 15 . . .	A bill for an act to further better regulate and restrict the sale of intoxicating liquors, etc . . . . .	Seller . . . . .	Feb. 15 .	Referred to Committee on Temperance.
407	Feb. 15 . . .	A bill for an act providing for the election of county surveyors and prescribing the duties thereof . . . . .	Seller . . . . .	Feb. 28 .	Indefinitely postponed.
408	Feb. 15 . . .	A bill for an act to provide for a revision of the statutes relative to municipal corporations, etc . . . . .	Shiveley . . . .	Feb. 15 .	Referred to Committee on Cities and Towns.
409	Feb. 15 . . .	A bill for an act prescribing the duties of the several benevolent and penal insti- tutions of the State . . . . .	Wishard . . . .	Feb. 28	Committee reports, made special order 2:10 o'clock, March 1.
410	Feb. 15 . . .	A bill for an act requiring all contracts hereinafter to be made by the State of Indiana be true to label, etc. . . . .	Wishard . . . .	Mch. 11 .	Recommended to pass.
	Feb. 15 . . .	A bill for an act to amend section six, and repealing section three of an act en- titled an act to regulate the practice of dentistry . . . . .	Wishard . . . .	Mch. 2 .	Failed to pass for lack of constitutional majority.

## SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
411	Feb. 16	A bill for an act to amend section 236 of an act concerning taxation . . . . .	Haggard . . . . .	Feb. 25 . .	Ordered engrossed.
412	Feb. 16 . .	A bill for an act to amend certain sections concerning highways . . . . .	LaFollette . . . . .	Feb. 22 . .	Recommended to pass.
413	Feb. 16 . .	A bill for an act fixing the times for holding court in the Third Judicial Circuit, etc. . . . .	Self . . . . .	Mar. 9	Signed by Governor.
414	Feb. 16 . .	A bill for an act to amend section 108 of an act entitled an act to provide for a general system of common schools, etc . . . . .	Self (by request) . . . . .	Feb. 25 . .	Recommended to pass.
415	Feb. 16 . .	A bill for an act to provide for the supervision of the construction and repair of public works and for the appointment of a Superintendent of Public Works . . . . .	Phares . . . . .	Feb. 25 . .	Indefinitely postponed.
416	Feb. 16 . .	A bill for an act making appropriations for the Indiana Institution for the Education of the Deaf and Dumb, and declaring an emergency . . . . .	Boyd . . . . .	Feb. 16	Referred to Committee on Benevolent Institutions.

418	Feb. 18	emergency. . . . .	Boyd . . . . .	Feb. 28 . . . . .	Recommended to pass.
		A bill for an act to repeal section 22 of an act entitled an act for the incorporation of insurance companies. . . . .	Duncan . . . . .	Mch. 11 . . . . .	Reported back without recommendation.
419	Feb. 18 . . . . .	A bill for an act to amend section 3 of an act entitled an act concerning grand and petit juries . . . . .	Duncan . . . . .	Feb. 27 . . . . .	Passed and transmitted to House.
420	Feb. 18	A bill for an act concerning insurance companies organized on what is known as the assessment plan, etc . . . . .	Duncan . . . . .	Mch. 7 . . . . .	Passed.
421	Feb. 18	A bill for an act to amend section 1 of an act entitled an act authorizing persons having claims against the State of Indiana to bring suit therefor in the Superior Court of Marion County, Indiana. . . . .	Kern . . . . .	Mch. 11 . . . . .	Signed by Governor.
422	Feb. 18	A bill for an act to amend section 2 of an act entitled an act to amend an act entitled an act making it unlawful to give, barter or sell tobacco to certain children, etc.. . . . .	Mull . . . . .	Mch. 2 . . . . .	Passed and transmitted to House.
423	Feb. 18	A bill for an act to amend section 3 of an act entitled an act entitled an act to encourage the breeding of improved stock . . . . .	Self (by request) . . . . .	Feb. 18 . . . . .	Referred to Committee on Agriculture.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
437	Feb. 19 . .	A bill for an act to amend section 1 of an act entitled an act to amend section 7 of an act for the incorporation of manufacturing and mining companies, etc . . . . .	Wishard . . . . .	Mch. 11 . .	To be indefinitely postponed.
438	Feb. 19 . .	A bill for an act fixing the time for holding court in the Forty-sixth Judicial Circuit of the State of Indiana. . . .	Cranor . . . . .	Mch. 7 . .	Signed by Governor.
439	Feb. 19 . .	A bill for an act to amend and repeal an act entitled an act on the subject of railroad crossings at grade, etc . . . .	Crumpacker . . . . .	Mch. 1 . .	Passed and transmitted to House.
440	Feb. 19 . .	A bill for an act to provide free text books in the common schools . . . .	Duncan . . . . .	Mch. 11 . .	Reported back without recommendation.
441	Feb. 19 . .	A bill for an act to provide janitors for common school houses and providing for their payment . . . . .	Houghton, by request . . . . .	Feb. 25 . .	Indefinitely postponed.
442	Feb. 19 . .	A bill for an act to amend section 2 and to repeal section 4 of an act entitled an act declaratory of the meaning of the word mining, etc . . . . .	Wishard . . . . .	Mch. 11 . .	Indefinitely postponed.

431	Feb. 19	A bill for an act entitled an act to provide for the publication of report of Board of Managers of Indiana for the Columbian Exposition, etc. . . . .	McCutchan, by request . . . . .	Mch. 6	Substitute bill recommended to pass
432	Feb. 19	A bill for an act to amend sections 2, 3 and 4 of an act entitled an act to amend sections 1, 3, 5 and 7 of an act entitled an act to establish City Courts, etc. . . . .	Baker. . . . .	Feb. 28	Amended and recommended to pass.
433	Feb. 19	A bill for an act to amend section 1 of an act, approved February 26, 1891, entitled an act to amend section 6 and section 7 of an act entitled an act entitled an act prohibiting the obstruction of ditches and drains . . . . .	Wray. . . . .	Feb. 28	Recommended to pass.
434	Feb. 19	A bill for an act to amend sections 2 and 11 of an act entitled an act prohibiting the obstruction of ditches, etc. . . . .	Phares . . . . .	Feb. 28	Indefinitely postponed.
435	Feb. 19	A bill for an act to amend section 52 of the act for the incorporation of cities, etc. . . . .	Phares . . . . .	Feb. 23	Recommended to pass.
436	Feb. 19	A bill for an act to establish a State Board of Embalmers and local boards under them . . . . .	Phares . . . . .	Feb. 19	Referred to Committee on Public Health.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
437	Feb. 19 . .	A bill for an act to amend section 1 of an act entitled an act to amend section 7 of an act for the incorporation of manufacturing and mining companies, etc . . . . .	Wishard . . . .	Mich. 11 . .	To be indefinitely postponed.
438	Feb. 19 . .	A bill for an act fixing the time for holding court in the Forty-sixth Judicial Circuit of the State of Indiana. . . .	Cranor . . . .	Mich. 7 . .	Signed by Governor.
439	Feb. 19 . .	A bill for an act to amend and repeal an act entitled an act on the subject of railroad crossings at grade, etc . . . .	Crumpacker . . . .	Mich. 1 . .	Passed and transmitted to House.
440	Feb. 19 . .	A bill for an act to provide free text books in the common schools . . . .	Duncan . . . . .	Mich. 11 . .	Reported back without recommendation.
441	Feb. 19 . .	A bill for an act to provide janitors for common school houses and providing for their payment . . . . .	Houghton, by request . . . . .	Feb. 25 . .	Indefinitely postponed.
442	Feb. 19 . .	A bill for an act to amend section 2 and to repeal section 4 of an act entitled an act declaratory of the meaning of the word mining, etc . . . . .	Wishard . . . .	Mich. 11 . .	Indefinitely postponed

444	Feb. 20 . . . . .	A bill for an act to amend section 1 of an act entitled an act to provide for the appropriation of real estate for cemetery purposes, approved March 9, 1889 . . . . .	McCord . . . . .	Mch. 11 . . . . .	Signed by Governor.
445	Feb. 20 . . . . .	A bill for an act providing for the appointment of a Board of Metropolitan Commissioners by the several commissioners of this State, and declaring an emergency . . . . .	Newby . . . . .	Feb. 25 . . . . .	Recommended to pass.
446	Feb. 20 . . . . .	A bill for an act for the preservation of forests . . . . .	Holler . . . . .	Feb. 23 . . . . .	Recommended to pass.
447	Feb. 22 . . . . .	A bill for an act fixing the time for holding the Circuit Courts in the thirty-sixth judicial circuit, and declaring an emergency . . . . .	O'Brien . . . . .	Mch. 11 . . . . .	Majority and minority reports.
448	Feb. 22 . . . . .	A bill for an act to prevent the destruction of certain wild game between the first day of January and the first day of October of each year . . . . .	Collett . . . . .	Feb. 28 . . . . .	Amended and recommended to pass.
449	Feb. 22 . . . . .	A bill for an act to amend section 3 of an act entitled an act entitled an act to encourage the breeding of improved stock, etc., and declaring an emergency . . . . .	LaFollette . . . . .	Feb. 28 . . . . .	Recommended to pass.

## SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author	Date of Last Action.	CONDITION OF BILL.
450	Feb. 22 .	A bill for an act for the relief of John J. Moran, etc . . . . .	LaFollette	Feb. 22 .	Referred to Committee on Claims.
451	Feb. 22 .	An bill for an act to provide for change of venue before Justice's Courts . . . . .	Newby, by request	Feb. 28 .	Recommended to pass.
452	Feb. 22 .	A bill for a joint resolution for the appointing of a joint committee of the Senate and House to inquire into the advisability of adopting a voting machine to be used at all elections . . . . .	Shiveley, by request	Feb. 22 .	Referred to Committee on Elections.
453	Feb. 23 .	A bill for an act to amend sections 1 and 2 of an act entitled an act empowering County Commissioners to appropriate money for the erection of soldiers' monuments . . . . .	Baker	Feb. 28 .	Recommended to pass.
454	Feb. 23 .	A bill for an act to amend section 6 of an act approved March 10, 1876, the same being section 1410 of the Revised Statutes of 1881, the same being section 1476 of Burns' Revised Statutes of 1894 . . . . .	Seller	Feb. 28	Recommended to pass.



456	Feb. 23 . .	A bill for an act to provide for the establishment of civil service based upon merit and fitness in connection with the employees of the penal, reformatory and benevolent institutions of the State of Indiana . . . . .	Wishard . . . . .	Feb. 23 . .	Referred to Committee on Prisons.
457	Feb. 23 . .	A bill for an act defining the Second and Third Judicial Circuits. . . . .	White. . . . .	Mich. 11 . .	Majority and minority reports.
458	Feb. 23 . .	A bill for an act requiring the Custodian of Public Buildings and Property having care of the State Capitol to furnish rooms for the Department of Indiana, Grand Army of the Republic, etc. . .	Haggard . . . . .	Feb. 25 . .	Recommended to pass.
459	Feb. 23 . .	A bill for an act to repeal section 2137 of the Revised Statutes of 1881 . . . .	Kern (by request)	Feb. 23 . .	Referred to Committee on Rights and Privileges.
460	Feb. 23 . .	A bill for an act to repeal section 2186 of the Revised Statutes of 1881 . . . .	Kern, by request .	Feb. 23 . .	Referred to Committee on Rights and Privileges.
461	Feb. 23 . .	A bill for an act to amend section 1024 of the Revised Statutes of 1881 . . . .	Kern, b request .	Feb. 23 . .	Referred to Committee on Rights and Privileges.
462	Feb. 23 . .	A bill for an act to amend section 5325 of the Revised Statutes of 1881 . . . .	Kern, by request .	Feb. 23 . .	Referred to Committee on Rights and Privileges.
463	Feb. 23 . .	A bill for an act to amend section 10 of an act entitled an act for the prevention of frauds and perjuries, etc. . .	Stuart . . . . .	Feb. 28 . .	Ordered printed.

# SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
464	Feb. 25	A bill for an act concerning the Savings Assurance Society, and declaring an emergency . . . . .	Bozeman . . . .	Feb. 28 . .	Ordered printed. -
465	Feb. 25	A bill for an act to change the name of Jacksonville, Fountain County, to Wallace . . . . .	Boord . . . .	Feb. 25	Constitutional rules suspended and bill passed and transmitted to House.
466	Feb. 26 . .	A bill for an act fixing the time for holding courts in the 28th Judicial Circuit, etc. . . . .	Rinear . . . . .	Feb. 26 . .	Constitutional rules suspended and bill passed and transmitted to House.
467	Feb. 26 . .	A bill for an act to divide the State into Congressional Districts, and repealing all laws and parts of laws in conflict therewith . . . . .	Vail . . . . .	Feb. 26 . .	Referred to Committee on Congressional Apportionment.
468	Feb. 26 . .	A bill for an act to amend section 3 of an act entitled an act providing for the regulation and supervision of foreign and domestic building, loan fund, savings or investment associations, etc. . . . .	Cranor . . . . .	Feb. 28 . .	Recommended to pass.

470	Feb. 26 . . .	an act entitled an act providing for the settlement and distribution of decedents' estates . . . . .	Kern . . . . .	Feb. 28 . .	Recommended to pass.
471	Feb. 26 . . .	A bill for an act defining the duties of jury commissioners in the striking of juries . . . . .	Parker . . . . .	Feb. 28 . .	Recommended to pass.
472	Feb. 26 . . .	A bill for an act to amend section 1 of an act entitled an act fixing the salaries of Judges of the Circuit and Superior Courts of this State, etc. . . . .	McLean . . . . .	Mch. 6 . .	House Bill 623 substituted Senate Bill 471.
473	Feb. 26 . . .	A bill for an act to amend sections 1, 2 and 3 of an act concerning the care, safety, etc., of oil and gas wells, etc. .	LaFollette . . . . .	Feb. 28 . .	Recommended to pass.
474	Feb. 26 . . .	A bill for an act to authorize the sale of a portion of the lands of the Indiana Institution for the Education of the Deaf and Dumb, etc . . . . .	Wishard . . . . .	Mch. 8 . .	Passed.
475	Feb. 27 . . .	A bill for an act providing for the better management and control of the State prisons at Michigan City and Jeffersonville, Indiana. . . . .	Watson . . . . .	Mch. 7 . .	Passed over Governor's veto.
		A bill for an act for the reorganization and government of cities having more than 30,000 and less than 35,000 population, etc . . . . .	McLean . . . . .	Mch. 5 . .	Constitutional rules suspended and bill passed and transmitted to House.

## SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
476	Feb. 27 .	A bill for an act to amend Article 13 of section 1, etc., relating to powers and privileges of cities . . . . .	Holler . . . . .	Feb. 27 .	Referred to Committee on Temperance.
477	Feb. 27 .	A bill for an act prohibiting corporations and their agents and employees engaged in mining and manufacturing from engaging in mercantile pursuits in connection therewith, etc . . . . .	Sweeney . . . . . (By request.)	Mch. 11 .	Amended and recommended to pass.
478	Feb. 27 .	A bill for an act to amend an act entitled an act appropriating moneys to pay amounts due members of the Indiana Legion, etc . . . . .	Sweeney . . . . . (By request.)	Mch. 1 .	Recommended to pass.
479	Feb. 27 .	A bill for an act concerning the election of School Commissioners in cities of one hundred thousand or more inhabitants, etc . . . . .	Wishard . . . . .	Feb. 23 .	Indefinitely postponed.
480	Mch. 1 .	A bill for an act to provide for the government, management, control and general supervision of the Central Hospital for Insane, for the Northern Hospital for Insane, etc . . . . .	Shiveley . . . . .	Mch. 11 .	Signed by Governor.

482	Mch. 1 . . .	Public Works in cities the power to grant benevolent institutions rights and privileges, etc . . . . .	McCutchan . .	Mch. 5 . .	Recommended to pass.
483	Mch. 1 . . .	A bill for an act providing for the inspection of fertilizers . . . . .	Sweeney. . . . .	Mch. 1 . .	Referred to Committee on Agriculture.
484	Mch. 2 . . .	A bill for an act concerning cemeteries in cities and towns which have been vacated, and declaring an emergency.	Watson . . . . .	Mch. 11 . .	Reported back without recommendation.
485	Mch. 2 . . .	A bill for an act to fix the salaries of the Judges of the Supreme Court, repealing all laws in conflict therewith, and declaring an emergency . . . . .	Newby . . . . . (By request)	Mch. 7 . .	Passed and transmitted to House.
486	Mch. 9 . . .	A bill for an act concerning water works and other matters connected therewith . . . . .	Self . . . . . (By request.)	Mch. 2 . .	Referred to Committee on Cities and Towns.
		A bill for an act to establish and legalize the arms of the State of Indiana and to provide for the use thereof on the public seals and for the purchase of a seal of State . . . . .	McCord . . . . .	Mch. 9 . .	

## SENATE CONCURRENT RESOLUTIONS.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF RESOLUTION.
1	Jan. 10 . .	A concurrent resolution appointing a committee of three Senators to act with a like committee from the House to wait upon the Governor and inform him of the organization of both houses . . . . .	Boyd . . . . .	Jan. 10 . .	Adopted.
2	Jan. 10 . .	A concurrent resolution appointing a committee of three to act with a like committee of the House to prepare rules . . . . .	Wray . . . . .	Jan. 11 . .	Adopted.
3	Jan. 11 . .	A concurrent resolution to appoint a committee to investigate the books and accounts of certain offices . . . .	Haggard . . . . .	Jan. 11 . .	An Amendment, No. 1, made special order for January 14, at 2 P. M. ordered printed.
4	Jan. 14 . .	A concurrent resolution that five thousand copies of the Governor's message be printed, and one thousand copies be folded in wrappers and laid in proportion to Senators on their desks . .	Bird . . . . .	Jan. 14 . .	Adopted.

6	Jan. 10 . . .	of the Senate be directed to cause to be printed two hundred copies of the rules as adopted by the Senate, in pamphlet form, in the same manner as heretofore printed, and that five copies of the same be bound in morocco leather with name of each Senator thereon . . . . .	Wishard . . . . .	Jan. 14 . .	Adopted
		A concurrent resolution that the President appoint a Committee on Mileage of three members . . . . .	Boord . . . . .	Jan. 10 .	Adopted.
7	Jan. 10	A concurrent resolution instructing the Secretary to purchase Revised Statutes, and place the same on Senators' desks .	Cranor . . . . .	Jan. 10 . .	Adopted.
8	Jan. 10	A concurrent resolution that the papers in the contest of Adam Foust for a seat in the Senate, from the Senatorial District composed of Huntington and Wells counties, be referred to the Committee on Elections, and that they be instructed to report not later than the 1st day of February, 1895. . . . .	Newby . . . . .	Jan. 10 . .	Adopted.
9	Jan. 10 . .	A concurrent resolution concerning the purchase of Revised Statutes . . . .	Shiveley . . . .	Jan. 10 . .	Ruled out of order.
10	Jan. 16 . .	A concurrent resolution concerning the Secretary of the Senate . . . . .	Kern . . . . .	Jan. 16 . .	Laid on the table.

## SENATE CONCURRENT RESOLUTIONS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF RESOLUTION.
11	Jan. 16 . .	A concurrent resolution directing the Secretary of the Senate to purchase twenty-eight sets of Burns' Revised Statutes of 1894 . . . . .	Shiveley. . . . .	Jan. 16 . .	Adopted.
12	Jan. 16 . .	A concurrent resolution relative to the election of United States Senators by a direct vote of the people . . . . .	Humphreys . . . . .	Feb. 14 . .	Adopted.
13	Jan. 16 . .	A concurrent resolution pertaining to the place of meeting of committees . . . . .	McCutchan . . . . .	Jan. 16 . .	Adopted.
14	Jan. 17 . .	A concurrent resolution pertaining to committee reports . . . . .	Seller . . . . .	Jan. 16 . .	Adopted.
15	Jan. 17 . .	A concurrent resolution authorizing the Committee on Fees and Salaries to send for witnesses and papers . . . . .	Alexander. . . . .	Jan. 17 . .	Postponed until called up by Committee on Fees and Salaries.
16	Jan. 17 . .	A concurrent resolution pertaining to the revision of the statutes of the State. . . . .	Seller . . . . .	Jan. 17 . .	Referred to special committee.
17	Feb. 7 . .	A concurrent resolution pertaining to re-turning a battle flag to the President of the Veteran Association of Indiana Infantry . . . . .	Crumpacker . . . . .	Feb. 7 . .	Adopted and transmitted to House.
18	Feb. 15 . .	A concurrent resolution concerning a report of the Auditor of State in regard to Swamp Land Fund . . . . .	Holler . . . . .	Feb. 15 . .	Adopted.



20	Feb. 18 . .	committee of five to receive the remains of Ex-Governor Gray from the City of Indianapolis to Union City, Indiana . . . . .	Stuart . . . . .	Feb. 20 . .	Adopted.
		A concurrent resolution appointing Hon. R. S. Hatcher a special commissioner to investigate the matter of the Indiana State seal . . . . .	Duncan . . . . .	Feb. 23 . .	Signed by Governor.
21	Mch. 6 . .	A concurrent resolution concerning the appointment of a commission by the Governor to investigate the advisability of holding a State exposition in the year 1900 . . . . .	Shiveley . . . . .	Mch. 6 . .	Adopted.
22	Mch. 6 . .	A concurrent resolution in regard to the appointment of a committee from the Senate to meet a like committee from the House to confer in regard to the fee and salary bill . . . . .	Cranor . . . . .	Mch. 6 . .	Adopted.
23	Mch. 6 . .	A concurrent resolution accepting fifty sets of Myers' Annotated Revised Statutes of 1896 . . . . .	Boyd . . . . .	Mch. 11 . .	Laid on table.
24	Mch. 11 . .	A concurrent resolution requiring the Custodian of the State House to furnish rooms for headquarters for the G. A. R. . . . .	Haggard . . . . .	Mch. 11 . .	Adopted.
25	Mch. 11 . .	A concurrent resolution in regard to building and loan associations . . . .	Elison . . . . .	Mch. 11 . .	Adopted.

## SENATE CONCURRENT RESOLUTIONS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF RESOLUTION.
26	Mch. 11 . . .	A concurrent resolution in regard to the World's Fair Commissioners . . . .	Phares . . . . .	Mch. 11 . .	Amended and adopted.
27	Mch. 11	A concurrent resolution to give the Governor the right to appoint three hold-over Senators to be a commission to look after convict labor . . . . .	Holler . . . . .	Mch. 11 . .	Adopted.
28	Mch. 11 . . .	A concurrent resolution directing the President of the Senate to appoint a committee of three hold-over Senators to look after the advisability of a third reformatory prison . . . . .	Schneck . . . . .	Mch. 11 . .	Adopted.
29	Mch. 11 . . .	A concurrent resolution empowering the Superintendents of the Central Indiana Hospital for the Insane, the Northern Indiana Hospital for the Insane, the Eastern Indiana Hospital for the Insane, the Southern Indiana Hospital for the Insane, the Institution for the Education of the Blind, the Institution of the Deaf and Dumb, etc . . . . .	Collett . . . . .	Mch. 11 . .	Adopted.
30	Mch. 11 . . .	A concurrent resolution to give the \$2,000 turned in to the State Treasury by the World's Fair Commissioners for the purpose of purchasing a silver set for the battleship Indiana . . . . .	Kern . . . . .	Mch. 11 . .	Withdrawn by author.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF RESOLUTION.
1	Jan. 15 . .	A joint resolution to amend section two (2) of article seven (7) of the Constitution of the State of Indiana . . . .	O'Brien . .	Mch. 4 . .	Amended and passed.
2	Jan. 18 . .	A joint resolution concerning the return of battle flag captured by Captain Robert R. Stewart . . . . .	Duncan . .	Feb. 25 . .	Recommended to pass.
3	. . . .	<i>Resolved</i> , That the following be added to Joint Rule No. 17: "And also refer to the like section as contained in Burns' Revised Statutes of 1894" . . . . .	Shiveley . . . .	Jan. 22 . .	Adopted.
4	Jan. 24 . .	A joint resolution proposing an amendment to section 1 of article 16 of the Constitution of the State of Indiana .	Kern (by request)	Feb. 28 . .	Indefinitely postponed.
5	Feb. 23	A joint resolution resolving that three hold-over Senators be appointed as a commission to correspond with different authorities of the different States that are now using convict labor, and learn the manner in which convicts are being used and the success obtained in employing them, and report at the next session of the General Assembly . . . . .	Holler . . . .	Mch. 2	Recommended to pass.
6	Mch. 11 . .	A joint resolution to appoint three commissioners to investigate the regulation of building and loan associations . .	Ellison . . . .	Mch. 11 . .	Withdrawn by author.

## HOUSE BILLS IN SENATE.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
1	Jan. 14 . .	A bill for an act appropriating one hundred thousand dollars to defray the expense of the Fifty-ninth General Assembly and declaring an emergency. . . . .	Merritt . . . . .	Jan. 14 . .	Constitutional rules suspended and bill passed.
124	Jan. 17 . .	A bill for an act to legalize all action of notaries public whose commissions have expired, or who at the time of transacting any notarial business had no notary public commission, or who have been ineligible to office and declaring an emergency. . . . .	Merritt . . . . .	Feb. 16 .	Passed and returned to House.
4	Jan. 17 . .	A bill for an act entitled an act appropriating the sum of \$48,513.09 for the payment of the expenses of the Indiana Legion during the year 1894 and the incidental expenses connected therewith, and declaring an emergency. . . . .	Merritt . . . . .	Jan. 21 . .	Passed and returned to House.

25	Jan. 23 . .	A bill for an act to legalize the incorporation of the town of Wheatfield, in Jasper County, in the State of Indiana, etc. . . . .	Spidler . . . . .	Jan. 23 . .	Constitutional rules suspended and bill passed.
16	Jan. 23 . .	A bill for an act to legalize the incorporation of the town of Albany, in the county of Delaware, etc. . . . .	Ross . . . . .	Jan. 23 . .	Referred to Committee on Fees and Salaries.
259	Jan. 23 . .	A bill for an act concerning and providing for the employment of employees for the House, etc. . . . .	Terhune . . . . .	Jan. 23 . .	Constitutional rules suspended and bill passed.
21	Jan. 24 . .	A bill for an act to legalize the incorporation of the town of Crandall, Harrison County, etc. . . . .	Fowler . . . . .	Feb. 13 . .	Passed and returned to House.
11	Jan. 29 . .	A bill for an act compelling railroad companies to establish and maintain suitable waiting rooms, etc. . . . .	Griffin . . . . .	Mch. 1 . .	Passed.
61	Jan. 29	A bill for an act to authorize the incorporation of companies for the purpose of constructing, operating and maintaining tobacco warehouses, etc. . . . .	Holloway . . . . .	Feb. 26 . .	Passed.
93	Jan. 30	A bill for an act to amend sections 1, 2 and 3 of an act entitled an act to enable Trustees to receive lands and donations, etc. . . . .	Stakebake . . . . .	Feb. 19	Signed by Governor.

## HOUSE BILLS IN SENATE—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
66	Jan. 30 .	A bill for an act to amend section 16 of an act entitled an act to provide for the opening, vacating and change of highways, approved June 17, 1852, etc . . . . .	Hunt . . . . .	Feb. 19 . .	Signed by Governor.
101	Jan 31	A bill for an act to amend section 1 of an act entitled an act concerning the organization and perpetuity of voluntary associations, etc . . . . .	Pettit . . . . .	Mch. 1 . .	Passed.
97	Jan 31 . .	A bill for an act regulating insurance companies doing business in this State and prescribing penalties for the violation thereof, etc . . . . .	Davis . . . . .	Feb. 27 . .	Passed.
184	Jan. 31 . .	A bill for an act concerning the cutting of hedge or other live fence along the lines dividing lands, etc. . . . .	Remington . . . .	Feb. 26 . .	Passed.
117	Jan. 31	A bill for an act repealing sections 1 and 2 of an act passed March 9, 1891, establishing the office of Natural Gas Supervisor, etc . . . . .	Handley . . . . .	Feb. 22 .	Indefinitely postponed.

145	Feb. 1. . .	county Commissioners of Commerce where the contracts for the construction of court houses have been let to complete, etc . . . . .	McGeath . . . .	Feb. 19	Signed by Governor.
28	Feb. 5. . .	A bill for an act requiring, persons, associations and corporations owning or operating street cars to provide for the well-being of employees and providing penalties for the violation thereof . .	Lambert . . . .	Mich. 11. . .	Recommended to pass.
32	Feb. 5. . .	A bill for an act to regulate the anchoring, landing or beaching of family, shanty, junk and fish boats or other similar water craft, and prescribing penalties for its violations . . . . .	Crosier . . . . .	Feb. 25. . .	Passed.
338	Feb. 11. . .	A bill for an act concerning pensions for disabled or retired firemen . . . . .	Leedy . . . . .	Feb. 13. . .	Passed and returned to House.
306	Feb. 11. . .	A bill for an act to legalize the incorporation of the town of Middletown, Ind .	Remy . . . . .	Feb. 18. . .	Passed and transmitted to House.
197	Feb. 11. . .	A bill for an act entitled an act making appropriations for the salary of the Clerk of the Supreme Court and his deputies . . . . .	Elliott . . . .	Mar. 2. . .	Passed.
			Adams . . . . .	F. b. 12. . .	Passed and returned to House.

## HOUSE BILLS IN SENATE—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
186	Feb. 11 . .	A bill for an act appropriating money for the payment of the claims of the Western Paving and Supply Co . . . . .	Leedy . . . . .	Feb. 20 . .	Passed.
64	Feb. 11 . .	A bill for an act fixing the terms of court in the Forty-second Judicial Circuit .	Garriott. . . . .	Feb. 14 . .	Passed and returned to House.
261	Feb. 11 . .	A bill for an act to legalize the town of Broad Ripple, Marion County, Indiana.	Boardman . . . . .	Feb. 26 . .	Passed.
57	Feb. 11 . .	A bill for an act for the reorganization of the Indiana militia . . . . .	Melendy . . . . .	Feb. 28 . .	Passed.
312	Feb. 11 . .	A bill for an act to establish a department of public parks in cities having more than 100,000 inhabitants . . .	Leedy . . . . .	. . . . .	Ordered to third reading.
310	Feb. 13 . .	A bill for an act legalizing the incorporation of the town of Summitville, Indiana . . . . .	Hundley . . . . .	Feb. 15 . .	Recommended to pass.
459	Feb. 13 . .	A bill for an act concerning public libraries . . . . .	Van Ardel . . . . .	Mar. 7 . .	Failed to pass for lack of a constitutional majority.



161	Feb. 18 . .	Auditor and Treasurer of State to issue and sell the bonds of the State, etc . .	Allen . . . . .	Mch. 1 .	Passed.
282	Feb. 18 . .	A bill for an act entitled an act providing for instructions concerning the effect of narcotics and stimulants upon the human system . . . . .	Harris . . . . .	Feb. 25 . .	Substituted for Senate Bill No. 311.
167	Feb. 19 . .	A bill for an act to amend sections 14, 17, 18, 23, 26, 31, 38, 47, 51, 53, 54, 55, 59, 60, 61, 63, 64, 73, 74, 77, 81, 85, 86, 87, 88, 89, 90, 91, 93, 94, 109, 115, 116, 122, 131 and 148, of an act entitled an act concerning the incorporations of cities having more than fifty thousand population . . . . .	Holloway . . . . .	Feb. 23 . .	Ordered printed.
289	Feb. 20 . .	A bill for an act concerning prize-fighting.	Dinwiddie . . . . .	Mch. 9 . .	Ordered to third reading.
285	Feb. 20 . .	A bill for an act to amend section 5 of an act entitled an act concerning the purchase of toll roads . . . . .	Bobilya . . . . .	Mch. 6 . .	Passed.
125	Feb. 20 . .	A bill for an act regulating descents and the apportionment of estates . . . . .	McIntosh . . . . .	Feb. 25 . .	Recommended to pass.
397	Feb. 20 . .	A bill for an act concerning holidays . .	Merritt . . . . .	Feb. 26 . .	Ordered to third reading.
		A bill for an act to enable the Governor to more effectually discharge his constitutional duty . . . . .	Robinson . . . . .	Feb. 28 . .	Recommended to pass.

# HOUSE BILLS IN SENATE—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
341	Feb. 20 . .	A bill for an act to amend sections 11, 114, 115, 125, 129 and 132 of an act concerning taxation . . . . .	Allen . . . . .	Feb. 26	Ordered to third reading.
527	Feb. 20 . .	A bill for an act to amend an act entitled an act to provide for erection of a State Soldiers' and Sailors' Monument or Memorial Hall, etc . . . . .	McIntosh . . . . .	Mch. 6 . . .	Passed over Governor's veto.
156	Feb. 20 . .	A bill for an act to fix the number of Senators and Representatives of the State of Indiana to the General Assembly of the State of Indiana . . . . .	Newhouse . . . . .	Mch. 5 . . .	Passed over veto.
157	Feb. 20 . .	A bill for an act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana . . . . .	Newhouse . . . . .	Mch. 5 . . .	Passed over veto.
107	Feb. 21 . .	A bill for an act to prevent fraudulent marriages . . . . .	Robinson . . . . .	Mch. 2 . . .	Passed.
89	Feb. 23 . .	A bill for an act in relation to appeals to the Supreme and Appellate Courts . . . . .	Gregg . . . . .	Mch. 7 . . .	Passed.

65	Feb. 23 . .	A bill for an act to authorize the Boards of Commissioners of the several counties in this State to purchase the toll roads in their respective counties and make them free . . . . .	Loring . . . . .	Feb. 6 . .	Passed.
442	Feb. 23 . .	A bill for an act defining the First and Eleventh Judicial Circuits and the Fifty-seventh Judicial Circuit, and providing for the election of Judge and Prosecuting Attorney . . . . .	Robinson . . . . .	Feb. 6 . .	Passed.
500	Feb. 23 . .	A bill for an act to amend an act entitled an act to amend section 1 of an act regulating foreign insurance companies in this State . . . . .	Allen . . . . .	Feb. 11 . .	Recommended to pass.
398	Feb. 25 . .	A bill for an act to amend section 3 of an act to provide for the repairs of free turnpike roads in the various counties of Indiana . . . . .	Spittler . . . . .	Feb. 28 . .	Recommended to pass.
434	Feb. 25 . .	A bill for an act to legalize the incorporation of the town of Eaton, Delaware County . . . . .	Ross . . . . .	Feb. 25 . .	Constitutional rules suspended and bill passed and transmitted to House.
27	Feb. 25 . .	A bill for an act making railroads and incorporations liable for damages caused by fire . . . . .	Spittler . . . . .	Feb. 6 . .	Majority and minority report.
164	Feb. 25 . .	A bill for an act authorizing the organization and incorporation of mutual insurance companies . . . . .	Hamrick . . . . .	Feb. 25 . .	Referred to Committee on Insurance.

## HOUSE BILLS IN SENATE—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
348	Feb. 25 . .	A bill for an act regulating the taxation of dogs . . . . .	Remington . . .	Mch. 7 . .	Ordered to third reading.
330	Feb. 25 . .	A bill for an act to amend section 33 of an act to provide for a general system of common schools . . . . .	Hunter . . . . .	Mch. 5 . .	Passed over Governor's veto.
165	Feb. 28 . .	A bill for an act entitled an act to better regulate and restrict the sale of intoxicating and other liquors . . . . .	Nicholson . . . . .	Mch. 8 . .	Passed.
313	Feb. 26 . .	A bill for an act concerning money, goods or other property stolen, lost or abandoned coming into the hands of members of the police force . . . . .	Leedy . . . . .	Mch. 8 . .	Passed.
230	Feb. 26 . .	A bill for an act to amend sections 1, 12, 23, 24, 29 and 30 of an act concerning drains and dykes . . . . .	Adams . . . . .	Mch. 8 . .	Passed.
128	Feb. 26 . .	A bill for an act to establish a Superior Court for the counties of Lake, Porter and Laporte, defining its authority and jurisdiction . . . . .	Culbert . . . . .	Mch. 4 . .	Passed over Governor's veto.

47	Feb. 27	of real estate encumbered by mortgage and declaring an emergency . . . .	Newhouse . . . .	Mch. 6 . .	Referred to Committee on Judiciary.
91	Feb. 27 . .	A bill for an act entitled an act for the relief of James Fisk from unjust and double taxes, and declaring an emergency . . . . .	Moore . . . . .	Feb. 28 . .	Recommended to pass.
318	Feb. 27 . .	A bill for an act to amend section 177 of an act entitled an act concerning proceedings in civil cases, approved April 7, 1881, and being section 1147 of the Revised Statutes of 1881, and declaring an emergency . . . . .	Stakebake . . . .	Feb. 28 . .	Amended and recommended to pass.
339	Feb. 27 . .	A bill for an act concerning highways, the vacation of certain parts thereof, and declaring an emergency . . . .	Van Aradel . . .	Mch. 11 . .	Majority and minority reports.
291	Feb. 27 . .	A bill for an act to provide for the settlement of guardians and their wards, or otherwise entitled, and declaring an emergency . . . . .	Stutesman . . . .	Feb. 28 . .	Recommended to pass.
622	F b. 27 . .	A bill for an act to amend section 1 of an act relating to the employment of teachers by Township Trustees, approved February 27, 1883 . . . .	Loring . . . . .	Mch. 2 . .	Indefinitely postponed.
		A bill for an act dividing the State into Congressional districts, etc . . . . .	Stutesman . . . .	Mch. 9 . .	Passed over Governor's veto.

# HOUSE BILLS IN SENATE—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
106	Feb. 28 . .	A bill for an act to provide for the publication, distribution and preservation of the reports and papers of the Indiana Academy of Science . . . . .	Merritt . . . . .	Mch. 9 . .	Constitutional rules suspended and bill passed.
305	Feb. 28 . .	A bill for an act providing for the incorporation of farmers' and citizens' voluntary associations for the purpose of insuring live stock and declaring an emergency . . . . .	Hamrick . . . . .	Mch. 11 . .	Amended and recommended to pass.
637	Feb. 28	A bill for an act to fix the salaries of the Judges of the Criminal Courts of this State, etc . . . . .	Leedy . . . . .	Feb. 28 . .	Constitutional rules suspended and bill passed.
46	Feb. 28	A bill for an act to amend section 1 of an act entitled an act to amend section 53 of an act entitled an act to repeal all general laws now in force for the incorporation of cities, etc . . . . .	Moore . . . . .	Mch. 6	Passed.
636	Feb. 28 . .	A bill for an act to authorize Boards of County Commissioners to complete court houses, etc . . . . .	Loring . . . . .	Mch. 9 . .	Constitutional rules suspended and bill passed.

321	Feb. 20 . .	A bill for an act to amend section 114 of an act entitled an act to provide for a general system of common schools, etc. . .	Petit . . . . .	Mch. 11	Reported back without recommendation.
628	Feb. 28 . .	A bill for an act to correct the enrollment of an act fixing the compensation and prescribing the duties of certain State and county officers, etc. . . . .	Robinson . . . .	Mch. 9	Indefinitely postponed.
325	Feb. 28 . .	A bill for an act to repeal an act entitled an act to enroll the late soldiers, their widows and orphans, of the late armies of the United States, residing in the State of Indiana, approved April 13, 1885 . . . . .	Melendy . . . . .	Mch. 7 . .	Passed.
498	Feb. 28 . .	A bill for an act to prohibit the assessment of the adjacent property holder of real estate occupied by any railroad company or public highway, etc. . .	Remington . . . .	Mch. 11 . .	Recommended to pass.
266	Feb. 28 . .	A bill for an act to legalize certain ordinances and proceedings of the Common Council of the city of Indianapolis, and declaring an emergency. . .	Leedy . . . . .	Mch. 8 . .	Passed.
131	Feb. 28 . .	A bill for an act to amend section 12 of an act entitled an act to provide for the incorporation of street railroad companies, etc. . . . .	Boardman . . . .	Mch. 11 . .	Amended and recommended to pass.

## HOUSE BILLS IN SENATE—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
636	Feb. 28 . .	A bill for an act concerning the election of school commissioners in cities of one hundred thousand or more inhabitants, etc . . . . .	Van Arsdale . .	Feb. 28 . .	Recommended to pass.
477	Feb. 28 .	A bill for an act to legalize the incorporation of the town of Osian, Wells County, Indiana, etc . . . . .	Blue . . .	Mch. 2 . .	Constitutional rules suspended and bill passed.
269	Feb. 28 . .	A bill for an act concerning libel in civil and criminal cases . . . . .	Stutesman . . .	Feb. 28 . .	Recommended to pass.
265	Mch. 1 . .	A bill for an act to amend sections 38, 40, 45, 56, 73, 77, 82, 89, 90, 91, 97, 100, 110, 114 and 125 of an act concerning the incorporation and government of cities of over 100,000 population. . . .	Leedy . . . .	Mch. 8 . .	Passed.
639	Mch. 2 . .	A bill for an act fixing the compensation and prescribing the duties of certain State and county officers, etc . . . .	. . . . .	Mch. 6 .	Constitutional rules suspended and bill passed.
384	Mch. 2 . .	A bill for an act to provide funds for the benefit of the Indiana and Purdue Universities and the Indiana State Normal School . . . . .	McIntosh . . . .	Mch. 6 .	Passed.



132	Mch. 2	A bill for an act entitled an act to provide for the appointment and compensation of a superintendent of public buildings and property . . .	Boardman	Mch. 7	Passed.
642	Mch. 2 . .	A bill for an act directing a statue of Oliver P. Morton and a statue of William Henry Harrison to be placed in the National Capitol at Washington	Hamrick . .	Mch. 7	Ordered to third reading.
585	Mch. 4	A bill for an act making appropriations for the State Government and its institutions . . . . .	Allen . . .	Mch. 9	Passed and transmitted to House.
432	Mch. 4	A bill for an act levying a tax for the purpose of raising revenues for the general fund. . . . .	Allen . . .	Mch. 8	Passed.
140	Mch. 4 . .	A bill for an act to regulate travel on the public highways and to provide penalties for its violation, and declaring an emergency . . . . .	Adams . . . . .	Mch. 11 . .	Amended and recommended to pass.
631	Mch. 4 . .	A bill for an act to amend section 4 of an act concerning elections, etc. . . . .	Thomas . . . .	Mch. 4	Referred to Committee on Elections.
583	Mch. 4 . .	A bill for an act to create a commission to locate important positions occupied by Indiana soldiers in the battles of Chickamauga, Lookout Mountain and Mission Ridge. . . . .	Statesman . . . .	Mch. 8 . .	Passed.

## HOUSE BILLS IN SENATE—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
224	Mch. 4 . .	A bill for an act to regulate the employment of women and children in manufacturing establishments . . . . .	McGregor . . . .	Mch. 4 . .	Referred to Committee on Judiciary.
41	Mch. 5 . .	A bill for an act for the protection and encouragement of horticulture . . .	Coates . . . . .	Mch. 11 . .	Recommended to pass.
216	Mch. 5 . .	A bill for an act authorizing cities in this State to erect water works, to issue bonds and secure the same by a mortgage upon such water works property.	Cardwill . . . . .	Mch. 11 . .	Recommended to pass
219	Mch. 5 . .	A bill for an act concerning public offenses . . . . .	Fowler . . . . .	Mch. 11 . .	Recommended to pass.
335	Mch. 5 . .	A bill for an act to amend section 12 of an act entitled an act for the incorporation of building and Loan Associations. . . . .	Remy . . . . .	Mch. 8 . .	Passed.
251	Mch. 5 . .	A bill for an act to amend section 12 of an act entitled an act for the incorporation of building and loan Associations . . . . .	Stotsenburg . . .	Mch. 11 . .	Recommended to pass.

298	Mch. 5 .	A bill for an act authorizing the transfer of insane persons from the State prisons to the Insane Hospitals of the State . . . . .	Floyd . . . . .	Mch. 7 .	Passed.
623	Mch. 5	A bill for an act to amend section 1 of an act entitled an act fixing the salaries of Judges of the Circuit and Superior Courts of this State. . . . .	Davis . . . . .	Mch. 6 .	Passed.
651	Mch. 5	A bill for an act to legalize the incorporation of the town of Brooks, in Newton County, in the State of Indiana . . .	Spitler . . . . .	Mch. 9 .	Constitutional rules suspended and Bill passed.
646	Mch. 5 .	A bill for an act authorizing cities in this State having a population of more than 2,200 to grant and convey any public land, etc . . . . .	Gibson . . . . .	Mch. 6 .	Passed.
505	Mch. 5 .	A bill for an act to amend sections 3, 4, 7 and 41 of an act concerning elections	McCaskey . . . . .	Mch. 11 .	Recommended to pass.
591	Mch. 5 .	A bill for an act providing for the release and return of prisoners from prisons .	Culbert . . . . .	Mch. 7 .	Constitutional rules suspended and Bill passed.
629	Mch. 5 .	A bill for an act to prevent the changing or interfering with any bill or record of the General Assembly of the State of Indiana . . . . .	Robinson . . . . .	Mch. 11 .	Recommended to pass.
638	Mch. 5 .	A bill for an act to amend section 1 of an act for the protection of birds . . . .	Howe . . . . .	Mch. 11 .	Recommended to pass.

## HOUSE BILLS IN SENATE—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
516	Mch. 5	A bill for an act to amend sections 24-249, 250, 251 and 252 of an act concerning taxation . . . . .	Griffin . . . . .	Mch. 5 . .	Referred to Committee on Finance.
647	Mch. 5 . .	A bill for an act to amend sections 1 and 3 of an act providing for a general system of common schools in all cities of thirty thousand or more inhabitants, etc . . . . .	Moore . . . . .	Mch. 5 . .	Referred to Committee on Education.
424	Mch. 6 . .	A bill for an act to amend section 17 of an act concerning public offenses . .	Griffin . . . . .	Mch. 11 . .	Reported without recommendations.
243	Mch. 6 . .	A bill for an act to amend section 255 of an act concerning proceedings in civil cases . . . . .	Longwell . . . . .	Mch. 11 . .	Recommended to pass.
387	Mch. 6 .	A bill for an act to regulate the canning of fruits . . . . .	Remington . . . . .	Mch. 11 . .	Recommended to pass.
311	Mch. 6 . .	A bill for an act to amend sections 4, 5, 6, 7, 10 and 11 of an act entitled an act concerning the incorporation of cities of more than 100,000 inhabitants	Leedy . . . . .	Mch. 8 . .	Passed.

527	Mch. 6 . .	11 and 13 of an act concerning elections . . . . .	Thomas . . . . .	Mch. 11 . .	Majority and minority reports.
	Mch. 6 . .	A bill for an act to encourage the breeding and improvement of trotting and pacing horses . . . . .	Harrison . . . . .	Mch. 6 . .	Referred to Committee on Judiciary.
536	Mch. 6 . .	A bill for an act concerning statistics, providing for the performance of certain duties of the Chief of Statistics, County Auditors and Township Assessors . . . . .	Hamrick . . . . .	Mch. 8 . .	Passed.
532	Mch. 6 . .	A bill for an act requiring the cutting of weeds along the public highway . . . .	Remington . . . .	Mch. 11 . .	Recommended to pass.
624	Mch. 6 . .	A bill for an act defining the second and third judicial circuits of the State of Indiana . . . . .	Bohannon . . . . .	Mch. 6 . .	Referred to Committee on Organisation of Courts.
369	Mch. 6 . .	A bill for an act to amend section 3 of an act entitled an act concerning proceedings in civil cases . . . . .	Stakebake . . . . .	Mch. 11 . .	Reported back without recommendation.
394	Mar. 6 . .	A bill for an act to amend section 114 of an act entitled an act to provide for a general system of public schools . . . .	Hunter . . . . .	Mch. 11 . .	Reported back without recommendation.
515	Mch. 6 . .	A bill for an act to amend section one of an act prohibiting the obstruction of ditches and drains . . . . .	Griffin . . . . .	Mch. 11 . .	Majority and minority reports.

# HOUSE BILLS IN SENATE—Continued.

122

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
76	Mch. 6 . .	A bill for an act to prohibit the sale, use and manufacture of cigarettes in the State of Indiana . . . . .	McCaskey . . . .	Mch. 11 . .	Reported back without recommendation.
232	Mch. 6 . .	A bill for an act concerning mortgage liens in proceedings to establish ditches and drains. . . . .	McBeth . . . . .	Mch. 11 . .	Reported back without recommendation.
431	Mch. 6 . .	A bill for an act to prevent the sale of impure miners' oils . . . . .	O'Brien . . . . .	Mch. 11 . .	Recommended to pass.
615	Mch. 6 . .	A bill for an act to amend sections 1 and 2 of an act to provide for the taxation of building and loan associations . .	Remy . . . . .	Mch. 11 . .	Recommended to pass.
51	Mch. 6 . .	A bill for an act defining the Fifth and Seventh Judicial Circuits of the State of Indiana . . . . .	Wilson . . . . .	Mch. 11 . .	Recommended to pass.
293	Mch. 6 . .	A bill for an act to amend an act to provide a system of public schools . . .	Kelly . . . . .	Mch. 11 . .	Reported back with recommendation.
346	Mch. 6 . .	A bill for an act to amend an act entitled an act to provide for a general system of public schools. . . . .	McIntosh . . . . .	Mch. 6 . .	Referred to Committee on Judiciary.

		an act concerning ferries . . . . .	FORBES.			
589	Mch. 7 . .	A bill for an act requiring railroad companies to put in intersecting switches	McLendy . . . . .	Mch. 7 .	Referred to Committee on Railroads.	
393	Mch. 7 . .	A bill for an act concerning bailiffs of Circuit Courts . . . . .	Pettit . . . . .	Mch. 11 . .	Recommended to pass.	
458	Mch. 7 . .	A bill for an act to amend section 57 of an act entitled an act entitled an act concerning elections . . . . .	McGregor . . . . .	Mch. 7 . .	Referred to Committee on Elections.	
428	Mch. 7 . .	A bill for an act to amend section 2071 of the Revised Statutes of 1881, which regulates the sale of milk. . . . .	Reynolds . . . . .	Mch. 7 . .	Referred to Committee on Judiciary.	
33	Mch. 7 . .	A bill for an act to regulate the manner of making estimates in cities and towns.	Statesman . . . . .	Mch. 11 . .	Recommended to pass.	
452	Mch. 7 . .	A bill for an act to amend section 8 of an act entitled an act regulating foreign and domestic building and loan fund and saving associations. . . . .	Terhune . . . . .	Mch. 7 .	Referred to Committee on Corporations.	
472	Mch. 7 . .	A bill for an act to regulate the arrest and surrender of fugitives from justice from other States. . . . .	Davis . . . . .	Mch. 11	Reported back without recommendation.	
617	Mch. 7 .	A bill for an act to provide for civil service governing the benevolent institutions of the State of Indiana . . . . .	Statesman . . . . .	Mch. 11 . .	Recommended to pass.	

## HOUSE BILLS IN SENATE—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
411	Mch. 7 . .	A bill for an act for the relief of William H. Eaton of Tipton County . . . . .	Smith of Tipton .	Mch. 11 . .	Recommended to pass.
489	Mch. 7 . .	A bill for an act defining certain offenses.	Robinson . . . .	Mch. 11 . .	Reported back without recommendation.
559	Mch. 7 . .	A bill for an act prohibiting the Councils of cities from purchasing brick from any particular manufacturer for construction and repair of streets . . . . .	Smith of Huntington . .	Mch. 11 . .	Majority and minority reports
645	Mch. 8 . .	A bill for an act to amend section 63 concerning the incorporation and government of cities having more than 35,000 and less than 49,000 inhabitants . . . . .	Bobilya . . . . .	Mch. 8 . .	Referred to Committee on Cities and Towns.
96	Mch. 8 . .	A bill for an act for the prevention of blindness . . . . .	Becker . . . . .	Mch. 8 . .	Referred to Committee on Statistics.
36	Mch. 8 . .	A bill for an act providing for the construction of foot-paths . . . . .	Woodruff . . . .	Mch. 8 . .	Referred to Committee on Roads.
344	Mch. 8 . .	A bill for an act to enlarge the power of Boards of Trustees of Incorporated towns . . . . .	Willis . . . . .	Mch. 11 . .	Recommended to pass.



548	Mch. 8 . .	Portation of property by railroad companies . . . . .	Williams . . .	Mch. 8 . .	Referred to Committee on Railroads.
	Mch. 8 . .	A bill for an act to amend section 399 and to repeal sections 400 and 401 of an act concerning proceedings in civil cases . . . . .	Van Aredel . . .	Mch. 8 . .	Passed.
521	Mch. 8 . .	A bill for an act for alumnal representation on Boards of Trustees and other governing bodies of universities and educational institutes . . . . .	Moore . . . . .	Mch. 9 . .	Constitutional rules suspended and bill passed.
327	Mch. 8 . .	A bill for an act concerning powers and duties of cities and incorporated towns; providing the mode and manner of building electric light and power plants . . . . .	Thomas . . . . .	Mch. 11 . .	Recommended to pass.
187	Mch. 8 . .	A bill for an act authorizing the reimbursement of James C. Hayes, former Trustee of Heth Township, Harrison County, Indiana, for money lost by him by fire . . . . .	Fowler . . . . .	Mch. 11 . .	Recommended to pass.
616	Mch. 8 . .	A bill for an act appropriating the sum of one hundred dollars annually to the State Geologist to pay for the expenses of caring for the old flags . . . . .	Melendy . . . . .	Mch. 8 . .	Referred to Committee on Finance.
360	Mch. 8 . .	A bill for an act to provide for the election and qualification of Justices of the Peace in townships having one hundred thousand persons . . . . .	Van Aredel . . .	Mch. 8 . .	Referred to Committee on Judiciary.

## HOUSE BILLS IN SENATE—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
187	Mch. 8 . .	A bill for an act amending section 190 of an act concerning public offenses and their punishment . . . . .	Pettit . . . . .	Mch. 8 . .	Referred to Committee on Temperance.
648	Mch. 8 . .	A bill for an act to amend section 1 of an act entitled an act requiring all persons, companies, corporations and associations desiring to incorporate under the laws of the State, etc. . . . .	McGregor . . . . .	Mch. 8 . .	Referred to Committee on Corporations.
578	Mch. 8 . .	A bill for an act to amend an act describing the duties of Common Councils in relation to requiring railroad companies to keep and maintain lights . .	O'Brien . . . . .	Mch. 11 . .	Recommended to pass.
567	Mch. 8 . .	A bill for an act compelling the owners of business buildings to provide and maintain water closets, etc. . . . .	Harrison of Shelby	Mch. 8 . .	Referred to Committee on Cities and Towns.
526	Mch. 8 . .	A bill for an act to regulate and prescribe the purity of manufacture and sale of drugs . . . . .	Willis . . . . .	Mch. 8 . .	Referred to Committee on Public Health, Medicine and Vital Statistics.
539	Mch. 9 . .	A bill for an act providing for the building of flood gates . . . . .	Kamp . . . . .	Mch. 9 . .	Referred to Committee on Swamp Lands and Drains.

		wet and overgrown lands . . . . .			and Drains.
645	Mch. 9 . .	A bill for an act to amend section 63 concerning the incorporation and government of cities having more than 35,000 and less than 49,000 . . . . .	Bobilya . . . . .	Mch. 9 . .	Referred to Committee on Judiciary.
653	Mch. 9 . .	A bill for an act to amend sections 2 and 3 of an act entitled an act defining the First and Eleventh Judicial Circuits and creating and defining the Fifty seventh Judicial Circuit . . . . .	Coates . . . . .	Mch. 9 . .	Referred to Committee on Judiciary.
353	Mch. 11 . .	A bill for an act providing for a Labor Commission . . . . .	Merritt . . . . .	Mch. 11 . .	Referred to Committee on Labor.
364	Mch. 11 . .	A bill for an act authorizing the Boards of County Commissioners to appropriate money in aid of special improvements in highways . . . . .	McCrea . . . . .	Mch. 11 . .	Reported back with recommendation to pass.

## HOUSE CONCURRENT RESOLUTION IN SENATE.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF RESOLUTION.
4	Feb. 1 . .	A concurrent resolution concerning the investigation of the Attorney-General's office and the condition of the State Treasury . . . . .	Leedy . . . . .	Feb. 1 . .	Referred to Committee on Fees and Salaries.
5	Feb. 7 . .	A concurrent resolution concerning the holding of a joint session of both houses for the purpose of electing a State Librarian . . . . .	Pettit . . . . .	Feb. 7 . .	Adopted.
6	Feb. 7 . .	A concurrent resolution concerning a thorough investigation of the Southern Indiana Hospital for the Insane . . . .	Reny . . . . .	Feb. 7 . .	Adopted.
7	Feb. 18 . .	A concurrent resolution to the National Assembly to urge the passage of a bill restricting the power of Federal Courts in the matter of railroads . . . . .	Statenburg . . . .	Feb. 18 . .	Referred to Committee on Judiciary.
8	Feb. 19 . .	A concurrent resolution for a commission, consisting of the Governor and two others, to procure plans for a statue of General Hackleman . . . . .	Thomas . . . . .	Feb. 9 . .	Adopted.

		Place, representing the Mexican war.	Leedy . . . . .	Mch. 1 . .	Referred to Committee on Military Affairs.
11	Mch. 8 . .	A concurrent resolution in regard to the sale of land belonging to the State by the Trustees of the Deaf and Dumb Asylum . . . . .	Leedy . . . . .	Mch. 11 . .	Adopted and returned to House.
12	Mch. 11 . .	A concurrent resolution in regard to Julius R. Frederick . . . . .	. . . . .	Mch. 11 . .	Adopted.
13	Mch. 11 . .	A concurrent resolution requiring the Custodian of the State House to furnish rooms for the Oil Inspector . . . . .	. . . . .	Mch. 11 . .	Adopted.

## HOUSE JOINT RESOLUTIONS IN SENATE.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF RESOLUTION.
1	Feb. 19 . .	A joint resolution to amend section 2 of article 2 of the Constitution of the State of Indiana. . . . .	Dinwiddie . . . .	Mcch. 4 . .	Failed for lack of constitutional majority.
3	Feb. 19 . .	A joint resolution to amend section 13 of article 2 of the Constitution of the State of Indiana. . . . .	Cardwill . . . .	Feb. 28 . .	Adopted.
5	Feb. 19 . .	A joint resolution to amend section 22 of article 4 of the Constitution of the State of Indiana. . . . .	Statebake. . . .	Feb. 28 . .	Recommended to pass.

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## SENATE BILLS.

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"A bill for an act to establish and maintain the Indiana State Home for disabled or destitute soldiers, sailors or marines, and the wives and destitute widows of such soldiers, sailors and marines, and declaring an emergency."		Page.
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### No. 2. Introduced by SENATOR HUMPHREY—

"A bill for an act to tax greenbacks and other moneys and declaring an emergency."		
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### No. 4. Introduced by SENATOR STUART—

"A bill for an act to fix the salaries of Coroners in all counties in this State having a hundred thousand or more inhabitants."		
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## No. 6. Introduced by SENATOR SHIVELEY—

"A bill for an act concerning the employment of employes for the Senate, defining their duties, providing for their compensation, repealing all laws in conflict and declaring an emergency."		
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Reported back . . . . .		135
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"A bill for an act to authorize the incorporation of companies for the purpose of constructing, operating and maintaining tobacco warehouses."		
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## No. 9. Introduced by SENATOR BAKER—

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## o. 11. Introduced by SENATOR BAKER—

"A bill for an act for the safety and comfort of certain of the employes of street railway companies."	Page.
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Reported back . . . . .	138
Read second time and ordered engrossed. . . . .	181
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Signed by President . . . . .	855
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Signed by Speaker of House . . . . .	942
Signed by Governor . . . . .	959

## No. 12. Introduced by SENATOR BAKER—

"A bill for an act to license the traffic in cigarettes and cigarette wrappers, and to provide against the evils resulting from the use of such as are deleterious to the health, and declaring an emergency."	
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## No. 13. Introduced by SENATOR BIRD—

"A bill for an act concerning the salaries of County Commissioners in counties having not less than sixty-five thousand inhabitants and not less than twenty civil townships."	
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Signed by Governor . . . . .	959

## No. 14. Introduced by SENATOR BOZEMAN—

"A bill for an act authorizing Boards of County Commissioners to lay out and construct free gravel, macadamized or turnpike roads, etc."	
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Reported back with amendments . . . . .	216
Read second time and ordered engrossed . . . . .	279
Read third time and recommitted . . . . .	304
Reported back with amendments . . . . .	305
Passed the Senate . . . . .	306

## No. 15. Introduced by SENATOR DUNCAN—

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"A bill for an act for the relief of Joel S. Davis, of Bartholomew County, Indiana."	
Read first time and referred to Committee on County and Township Business	77
Reported back with amendments	356
Read second time and ordered engrossed	572
Read third time and passed	725
Returned from House	943
Reported by Committee on Enrolled Bills	962
Signed by President	963
Signed by Governor	1014

## No. 16. Introduced by SENATOR ELLISON—

"A bill for an act regulating the descent and the apportionment of estates in certain cases."	
Read first time and referred to Committee on Judiciary	78

## No. 17. Introduced by SENATOR HOUGHTON—

"A bill for an act to provide a general system of common schools."	
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Reported back and indefinitely postponed	451

## No. 18. Introduced by SENATOR NEWBY—

"A bill for an act to amend section 389 of an act entitled an act concerning proceedings in civil causes, approved April 7, 1881, being section 546 of the Revised Statutes of 1881."	
Read first time and referred to Committee on Judiciary	79
Reported back and indefinitely postponed	333

## No. 19. Introduced by SENATOR DUNCAN—

"A bill for an act regulating the terms of the offices of Township Trustees and Township Assessors, fixing the time when they shall go into office, repealing all laws in conflict therewith, and declaring an emergency."	
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## No. 20. Introduced by SENATOR HOUGHTON—

"A bill for an act to amend section 80 of an act entitled an act concerning public offenses and their punishment, approved April 14, 1883."	
Read first time and referred to Committee on Judiciary	80
Reported back	276
Read second time, amended and ordered engrossed	379
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## No. 21. Introduced by SENATOR SELLER—

"A bill for an act for the repair of ditches and drains which have been constructed and do not properly drain the lands assessed for their construction, and declaring an emergency."	
Read first time and referred to Committee on Swamp Lands	80
Reported back	278
Read second time and ordered engrossed	378
Read third time and passed	428

## No. 22. Introduced by SENATOR SELLER—

"A bill for an act vacating portions of highways in cases therein specified, and declaring an emergency."	Page.
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Reported back . . . . .	168
Read second time and ordered engrossed . . . . .	229
Read third time and passed . . . . .	239
Returned from House . . . . .	380
Reported by Committee on Enrolled Bills . . . . .	612
Approved by Governor . . . . .	742

## No. 23. Introduced by SENATOR WISHARD—

"A bill for an act to repeal an act entitled an act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana and to apportion the same among the several counties of the State, and to repeal all laws in conflict therewith, approved March 4, 1893, and declaring an emergency."	
Read first time and referred to Committee on Legislative Apportionment . .	80

## No. 24. Introduced by SENATOR JOHNSTON—

"A bill for an act authorizing the issuing of writs and processes by the clerks of the Circuit and Superior Courts of this State, and the service thereof on Sunday when issued on any other day on an affidavit first being filed with such clerk as in this act provided, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	80
Reported back . . . . .	167
Read second time, amended and ordered engrossed . . . . .	321
Read third time and passed . . . . .	441
Reported by the Committee on Enrolled Bills . . . . .	1099
Signed by the President . . . . .	1099

## No. 25. Introduced by SENATOR KERN—

"A bill for an act to amend section 3816 of the Revised Statutes of 1881."	
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Reported back . . . . .	25
Read second time and ordered engrossed . . . . .	541

## No. 26. Introduced by SENATOR SHIVELEY—

"A bill for an act providing for a metropolitan police force in all cities containing not less than ten thousand inhabitants."	
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igned by President . . . . .	904
Vetoed by Governor . . . . .	1005
Failed to pass Senate over Governor's veto . . . . .	1007

No. 27. (Number left out through error.)

No. 28. Introduced by SENATOR SHIVELEY—

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"A bill for an act creating a board of control for all the insane hospitals in the State of Indiana, providing for the appointment of the trustees composing such board, for the compensation of such trustees, and declaring an emergency."	
Read first time and referred to Committee on Benevolent Institutions . . . .	81
Reported back and ordered printed . . . . .	387
Reported back and indefinitely postponed . . . . .	457

No. 29. Introduced by SENATOR KERN—

"A bill for an act prescribing the duties of railroad companies with reference to the crossing by railroad companies of streets, avenues and alleys in incorporated towns and cities in the State of Indiana"	
Read first time and referred to Committee on Railroads . . . . .	81
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Reported back with amendments . . . . .	295
Read second time and ordered engrossed . . . . .	380
Read third time and passed . . . . .	401
Returned from House . . . . .	1035
Reported by Committee on Enrolled Bills . . . . .	1050
Signed by President . . . . .	1050
Approved by Governor . . . . .	1100

No. 30. Introduced by SENATOR McLEAN—

"A bill for an act to amend the first section of an act approved March 3, 1887, entitled an act regulating foreign insurance companies doing business in this State."	
Read first time and referred to Committee on Insurance . . . . .	82

No. 31. Introduced by SENATOR BOZEMAN—

"A bill for an act regulating the transportation of property by railroad companies and other common carriers, and declaring an emergency."	
Read first time and referred to Committee on Railroads . . . . .	82
Reported back . . . . .	654

No. 32. Introduced by SENATOR SELLER—

"A bill for an act concerning the sufficiency of the evidence in actions of libel and slander."	
Read first time and referred to Committee on Judiciary . . . . .	82
Reported back . . . . .	144
Read second time and ordered engrossed . . . . .	181

No. 33. Introduced by SENATOR SELLER—

"A bill for an act to prevent the unlawful taxing, charging and collecting of fees by State and county officers, providing penalties and declaring an emergency."	
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## No. 34. Introduced by SENATOR SHIVELEY—

"A bill for an act making appropriations for increasing the capacity of the Eastern Indiana Hospital for the Insane, and declaring an emergency."	Page.
Read first time and referred to Committee on Benevolent Institutions . . . .	83
Reported back . . . . .	504

## No. 35. Introduced by SENATOR SHIVELEY—

"A bill for an act appropriating money for the current expenses of the Eastern Indiana Hospital for the Insane."	
Read first time and referred to Committee on Benevolent Institutions . . . .	83

## No. 36. Introduced by SENATOR NEWBY—

"A bill for an act to amend sections 4, 9 and 22 of an act to establish and maintain the Indiana Soldiers' and Sailors' Orphans' Home, and repealing certain statutes relating thereto, approved February 15, 1887."	
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Reported back . . . . .	247
Read second time and ordered engrossed . . . . .	301
Read third time and passed . . . . .	405

## No. 37. Introduced by SENATOR WISHARD—

"A bill for an act in relation to appeals to the Supreme and Appellate Courts, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	83
Reported back . . . . .	194
Read second time, amended and ordered engrossed . . . . .	303
Read third time and passed . . . . .	434
Title amended . . . . .	434
Returned from House . . . . .	1048
Reported by Committee on Enrolled Bills . . . . .	1098, 1099
Signed by the President . . . . .	1098, 1100

## No. 38. Introduced by SENATOR SELLER—

"A bill for an act to legalize Sheriffs' sales of real estate made without appraisal of the rents and profits."	
Read first time and referred to Committee on Judiciary . . . . .	83
Reported back . . . . .	144
Read second time and ordered engrossed . . . . .	181
Read third time and passed by Senate . . . . .	198
Reported by Committee on Enrolled Bills . . . . .	1012
Returned from House . . . . .	1014
Signed by President . . . . .	1013
Signed by Governor . . . . .	1051

## No. 39. Introduced by SENATOR WISHARD—

"A bill for an act providing for the publishing and indexing of certain laws and statutes of the Northwest Territory and the Territory and State of Indiana, and providing for their effect as evidence when so published."	
Read first time and referred to Committee on Judiciary . . . . .	84
Reported back and indefinitely postponed . . . . .	184

## No. 40. Introduced by SENATOR McHUGH—

"A bill for an act to amend sections 1 and 12 of an act entitled an act to provide for the incorporation of street railroad companies, approved June 4, 1861."		Page.
Read first time and referred to Committee on the Affairs of the City of Indianapolis . . . . .		84
Reported back with three reports and ordered printed. . . . .		663
Resolution concerning. . . . .		806
Made special order . . . . .		849
Special order reconsidered . . . . .		850

## No. 41. Introduced by SENATOR KERN—

"A bill for an act appropriating \$18,513.09 for the payment of the expenses of the Indiana Legion during the year 1894, and the incidental expenses connected therewith, and declaring an emergency."		
Read first time and referred to Committee on Military Affairs . . . . .		84
Made a special order. . . . .		84
Reported back and report concurred in . . . . .		97
Constitutional rule suspended . . . . .		97
Read third time and passed the Senate. . . . .		98

## No. 42. Introduced by SENATOR BAKER—

"A bill for an act authorizing the refunding to certain citizens of certain sums of money paid, or which may be paid, in compliance to legal process."		
Read first time and referred to Committee on Judiciary . . . . .		85
Reported back and indefinitely postponed . . . . .		195

## No. 43. Introduced by SENATOR BOYD—

"A bill for an act to provide for the treatment and cure of habitual drunkards and other victims of the drug habit, and the treatment of such."		
Read first time and referred to Committee on Judiciary . . . . .		85
Reported back and report withdrawn. . . . .		213
Reported back and indefinitely postponed . . . . .		763
Made special order. . . . .		767
Reported back . . . . .		846

## No. 44. Introduced by SENATOR CRANOR—

"A bill for an act providing for the inspection and regulation of steam boilers, and the appointment of a State boiler inspector, and providing penalties for the violation thereof."		
Read the first time and referred to Committee on Labor . . . . .		85
Reported back, with amendments . . . . .		279
Read second time and ordered engrossed . . . . .		321
Read third time and failed to pass . . . . .		395
Again called up and failed to pass . . . . .		579

## No. 45. Introduced by SENATOR CRANOR—

"A bill for an act to amend an act concerning the Twenty-fifth and Forty-sixth Judicial Circuits."		
Read first time . . . . .		85
Constitutional rules suspended . . . . .		86
Read third time and passed by Senate . . . . .		86
Returned from House . . . . .		161
Report of Committee on Enrolled Bills . . . . .		221
Signed by President of Senate . . . . .		223
Withdrawn for amendment . . . . .		230
Referred to committee for amendment . . . . .		234
Reported back : . . . . .		235

## . 46. Introduced by SENATOR DUNCAN—

'A bill for an act fixing the time of holding courts in the Tenth Judicial Circuit, defining the length of such terms, repealing all laws in conflict therewith, and declaring an emergency.'	Page.
Read first time and referred to Committee on Organisation of Courts . . . .	87
Reported back and indefinitely postponed . . . . .	574

## . 47. Introduced by SENATOR HOUGHTON—

'A bill for an act to legalize certain school bonds issued by the Board of Trustees of the incorporated town of Shoals, in Martin County, in the State of Indiana, and declaring an emergency.'	
Read first time . . . . .	87
Constitutional rules suspended . . . . .	87
Passed the Senate . . . . .	88
Passed House and returned therefrom . . . . .	233
Signed by President of Senate . . . . .	374
Signed by Governor . . . . .	506

## o. 48. Introduced by SENATOR KERN—

"A bill for an act to amend section 118 of an act concerning the incorporation and government of cities having more than one hundred thousand population according to the last preceding United States census, and matters connected therewith, and declaring an emergency."	
Read first time and referred to Committee on the Affairs of City of Indianapolis . . . . .	88
Reported back . . . . .	148
Amendment offered . . . . .	152
Ordered printed . . . . .	153
Read second time, amended and ordered engrossed . . . . .	223
Read third time and passed . . . . .	584
Returned from House . . . . .	737
Reported by Committee on Enrolled Bills . . . . .	747
Signed by President . . . . .	747
Approved by Governor . . . . .	822

## to. 49. Introduced by SENATOR LAFOLLETTE—

"A bill for an act entitled an act to amend section 1 of an act entitled an act concerning the organisation and perpetuity of voluntary associations and adding supplemental sections, and declaring an emergency, approved March 9, 1891, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	89
Substitute reported by committee . . . . .	291
Read second time and recommitted . . . . .	380
Reported back with amendment . . . . .	613
Read second time and ordered engrossed . . . . .	707
Read third time, amended and passed . . . . .	744
Returned from House . . . . .	806
House amendment concurred in . . . . .	897
Reported by Committee on Enrolled Bills . . . . .	929
Signed by President . . . . .	929

## No. 50. Introduced by SENATOR McCUTCHAN—

"A bill for an act to compel street railroads to provide protection to motormen and conductors."	Page.
Read first time and referred to Committee on Corporations . . . . .	80

## No. 51. Introduced by SENATOR McCUTCHAN—

"A bill for an act entitled an act to prevent fraudulent dealings of nursery agents and salesmen, and prescribing penalties for same."	
Read first time and referred to Committee on Judiciary . . . . .	89
Reported back and indefinitely postponed . . . . .	274

## No. 52. Introduced by SENATOR McDONALD—

"A bill for an act authorizing incorporated cities to recover fines and penalties in misdemeanors where the penalties under the State law is a fine only, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	89
Reported back . . . . .	168

## No. 53. Introduced by SENATOR McKELVEY—

"A bill for an act to amend sections 4, 6 and 7 of an act concerning the construction of free gravel, stone or other macadamized roads, providing for their location, approved March 3, 1893, and declaring an emergency."	
Read first time and referred to Committee on Roads . . . . .	89
Reported back and consideration postponed . . . . .	216
Minority report with amendment . . . . .	235
Minority report concurred in . . . . .	252
Read second time and ordered engrossed . . . . .	301
Read third time and referred back to committee . . . . .	313
Reported back . . . . .	1088

## No. 54. Introduced by SENATOR PARKER—

"A bill for an act to legalize certain sales of real estate made by County Auditors as forfeited school lands, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	90
Reported back . . . . .	167
Read second time and ordered engrossed . . . . .	244
Read third time and passed by Senate . . . . .	315
Returned from House . . . . .	723
Signed by President . . . . .	742
Signed by Governor . . . . .	822

## No. 55. Introduced by SENATOR SELF—

"A bill for an act providing for the election and qualification of County Superintendents and for their removal, and extending the term of office of present incumbents, and repealing all laws or parts of laws in conflict therewith, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	98
Reported back, majority and minority reports, and ordered printed . . . . .	329
Read second time and ordered engrossed . . . . .	537



## No. 56. Introduced by SENATOR SHIVELEY—

"A bill for an act authorizing the appointment of a Humane Inspector by County Commissioners, and providing for their compensation."	Page.
Read first time and referred to Committee on Judiciary . . . . .	90
Reported back . . . . .	164
Recommitted to special committee . . . . .	165
Substitute reported and ordered printed . . . . .	326
Read second time and ordered engrossed . . . . .	500
Read third time and passed . . . . .	581

## No. 57. Introduced by SENATOR STUART—

"A bill for an act to amend section 1 (section 705, Revised Statutes of 1881) of an act entitled providing for a homestead, and exempting it from sale on execution, and exempting certain personal property from attachment and sale on execution or distress for rent, and repealing all laws in conflict therewith; approved March 29, 1879."	
Read first time and referred to Committee on Judiciary . . . . .	92
Reported back . . . . .	168
Read second time, amended and ordered engrossed . . . . .	231
Read third time and passed by Senate . . . . .	239
Returned from House . . . . .	846

## No. 58. Introduced by SENATOR BAKER—

"A bill for an act to establish a Superior Court in the county of Madison, defining its authority and jurisdiction, and declaring an emergency."	
Read first time and referred to Committee on Organization of Courts . . . . .	92
Reported back . . . . .	179
Read second time and ordered engrossed . . . . .	219
Read third time and passed . . . . .	301
Returned from House . . . . .	625
Signed by President . . . . .	708
Approved by Governor . . . . .	742

## No. 59. Introduced by SENATOR BOZEMAN—

"A bill for an act providing for the protection, supervision and safety of property or money willed or donated for benevolent purposes, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	92
Reported back with amendments . . . . .	195
Read second time and ordered engrossed . . . . .	221
Read third time and passed by Senate . . . . .	313
Returned from House with amendments . . . . .	1035
Amendments concurred in . . . . .	1035
Report by Committee on Enrolled Bills . . . . .	1050
Signed by President . . . . .	1050
Signed by Governor . . . . .	1100

## No. 60. Introduced by SENATOR WRAY—

"A bill for an act to amend section 1 of an act entitled an act requiring railroad corporations and other persons operating and controlling railroads to fence their right of way, approved April 13, 1885."	
Read first time and referred to Committee on Railroads . . . . .	92
Reported back and referred to Committee on Judiciary . . . . .	479
Reported back and indefinitely postponed . . . . .	610

## No. 61. Introduced by SENATOR SWEENEY—

"A bill for an act fixing the limit of compensation to be paid for carrying passengers and baggage on railroads within the State of Indiana, etc."	Page-
Read first time and referred to Committee on Railroads . . . . .	93

## No. 62. Introduced by SENATOR SWEENEY—

"A bill for an act requiring foreign life, fire and accident insurance companies doing business in the State of Indiana to keep a certain sum of money invested or deposited in the State of Indiana."	
Read first time and referred to Committee on Insurance . . . . .	93
Reported back, majority and minority reports . . . . .	1079

## No. 63. Introduced by SENATOR VAIL—

"A bill for an act to provide for a uniform policy of fire insurance, and declaring an emergency."	
Read first time and referred to Committee on Insurance . . . . .	93
Reported back and referred back to committee . . . . .	193
Read second time and referred back to committee . . . . .	223

## No. 64. Introduced by SENATOR WRAY—

"A bill for an act to regulate contracts of insurance of buildings and structures."	
Read first time and referred to Committee on Insurance . . . . .	93
Reported back, with majority and minority reports, majority report concurred in and indefinitely postponed . . . . .	360

## No. 65. Introduced by SENATOR WRAY—

"A bill for an act prescribing a limit to be charged by all joint stock companies, corporations, firms or individuals, who control, superintend or own stock yards within three miles of any incorporated city or town within the State of Indiana."	
Read first time and referred to Committee on Corporations . . . . .	94
Resolution to report back laid on the table . . . . .	543
Reported back, majority and minority reports made special order . . . . .	630
Consideration resumed . . . . .	636

## No. 66. Introduced by SENATOR HOLLER—

"A bill for an act to create the office of Food and Dairy Commissioner and the appointment of his assistants and defining his duties and declaring an emergency."	
Read first time and referred to Committee on Agriculture . . . . .	94
Reported back . . . . .	135
Read second time . . . . .	189
Recommitted to Committee on Judiciary and amended . . . . .	181
Reported back and recommitted to Committee on Agriculture . . . . .	304
Reported back with amendments . . . . .	276
Read second time and ordered engrossed . . . . .	331
Read third time and passed . . . . .	397

## No. 67. Introduced by SENATOR ELLISON—

"A bill for an act to prevent the adulteration of dairy products and other articles of food and drink, in certain cases."	Page.
Read first time and referred to Committee on Agriculture . . . . .	94
Reported back . . . . .	125
Read second time . . . . .	281
Recommitted to committee to prepare a substitute . . . . .	282
Substitute bill reported . . . . .	297
Read second time and recommitted . . . . .	384
Reported back with substitute . . . . .	520
Amended and ordered engrossed . . . . .	524-528-529
Read third time and passed . . . . .	581

## No. 68. Introduced by SENATOR McCUTCHAN—

"A bill for an act to amend an act entitled an act to prevent carrying concealed weapons."	
Read first time and referred to Committee on Judiciary . . . . .	94
Reported back . . . . .	166
Read second time and amended . . . . .	241-242
Indefinitely postponed . . . . .	243

## No. 69. Introduced by SENATOR STUART—

"A bill for an act providing for attorney's fees when a mechanic, artisan, minor, laborer, servant or employe sues for wages."	
Read first time and referred to Committee on Labor . . . . .	95
Reported back . . . . .	218
Read second time and ordered engrossed . . . . .	244-245
Read third time, failed to pass . . . . .	304
Called up and passed . . . . .	430

## No. 70. Introduced by SENATOR GIFFORD—

"A bill for an act prohibiting the selling, etc., of personal property by parties in possession thereof by virtue of conditional purchase with the consent of the holder of the legal title, etc."	
Read first time and referred to Committee on Judiciary . . . . .	95
Reported back and indefinitely postponed . . . . .	164

## No. 71. Introduced by SENATOR GIFFORD—

"A bill for an act repealing all parts of laws providing for the death penalty for the punishment of crime, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	95
Reported back . . . . .	128
Consideration of reports postponed . . . . .	127
Indefinitely postponed . . . . .	136

## No. 72. Introduced by SENATOR HOLLER—

"A bill for an act to create a State Veterinary Medical Commission."	
Read first time and referred to Committee on Agriculture . . . . .	96
Reported back, majority and minority reports . . . . .	226
Ordered printed . . . . .	227
Read second time and ordered engrossed . . . . .	709
Order to engross rescinded . . . . .	720

## No. 73. Introduced by SENATOR SWEENEY—

"A bill for an act fixing the liabilities of insurance companies in case of loss by casualties under the policies, etc."	Page.
Read first time and referred to Committee on Insurance . . . . .	97
Reported back, with majority and minority reports, and indefinitely postponed . . . . .	361

## No. 74. Introduced by SENATOR ALEXANDER—

"A bill for an act providing for the proof of the execution of wills, etc."	
Read first time and referred to Committee on Judiciary . . . . .	98
Reported back, indefinitely postponed . . . . .	194

## No. 75. Introduced by SENATOR BOYD—

"A bill for an act establishing a board to be known as the State Veterinary Medical Board."	
Read first time and referred to Committee on Agriculture . . . . .	99
Reported back and indefinitely postponed . . . . .	257

## No. 76. Introduced by SENATOR CRANOR—

"A bill for an act to amend section 1 of an act to amend section 2 of an act entitled an act fixing the salaries of County Commissioners, etc."	
Read first time and referred to Committee on County and Township Business . . . . .	99
Reported back and indefinitely postponed . . . . .	468

## No. 77. Introduced by SENATOR CRANOR—

"A bill for an act concerning Justices of the Peace, etc."	
Read first time and referred to Committee on Judiciary . . . . .	99

## No. 78. Introduced by SENATOR LAFOLLETTE—

"A bill for an act authorizing cities incorporated under the general laws to enforce street sprinkling and sweeping, etc."	
Read first time and referred to Committee on Cities and Towns . . . . .	99
Reported back majority and minority reports and ordered printed . . . . .	365

## No. 79. Introduced by SENATOR LAFOLLETTE—

"A bill for an act concerning promissory notes, etc."	
Read first time and referred to Committee on Judiciary . . . . .	100
Reported back, with majority and minority reports . . . . .	253
Majority report concurred in . . . . .	254

## No. 80. Introduced by SENATOR CRUMPACKER—

"A bill for an act to protect the people of Indiana in the sale of poisons."	
Read first time and referred to Committee on Public Health . . . . .	100
Reported back with substitute . . . . .	648

## No. 81. Introduced by SENATOR LEYDEN—

"A bill for an act to legalize the town of Greenville, Floyd County, Indiana, etc."	
Read first time . . . . .	100
Constitutional rules suspended . . . . .	100
Read third time and passed . . . . .	101
Returned from House . . . . .	137
Reported by Committee on Enrolled Bills . . . . .	729
Signed by President . . . . .	729
Signed by Governor . . . . .	822

**No. 82. Introduced by SENATOR KERN—**

"A bill for an act to confirm and make valid sales of real estate in the State of Indiana, etc."	Page.
Read first time and referred to Committee on Judiciary . . . . .	101
Reported back and indefinitely postponed . . . . .	258

**No. 83. Introduced by SENATOR McOUTCHAN—**

"A bill for an act providing for the practice of veterinary surgery, etc."	
Read first time and referred to Committee on Agriculture . . . . .	101
Reported back and indefinitely postponed . . . . .	215

**No. 84. Introduced by SENATOR GOSTLIN—**

"A bill for an act to amend section 1 of an act approved March 8, 1890, etc."	
Read first time and referred to Committee on Roads . . . . .	102
Reported back . . . . .	189
Referred back to committee . . . . .	189
Reported back . . . . .	179
Read second time, amended and ordered engrossed . . . . .	241
Read third time and passed . . . . .	311

**No. 85. Introduced by SENATOR McLEAN—**

"A bill for an act regulating insurance companies doing business in this State, etc."	
Read first time and referred to Committee on Insurance . . . . .	102
Reported back and indefinitely postponed . . . . .	474

**No. 86. Introduced by SENATOR NEWBY—**

"A bill for an act extending to all political parties a right to representation upon Boards of Election Commissioners and upon Election Boards."	
Read first time and referred to Committee on Elections . . . . .	102
Reported back . . . . .	255
Read second time and recommitted . . . . .	322

**No. 87. Introduced by SENATOR SELLER—**

"A bill for an act to amend section 11 of an act prohibiting the obstruction of ditches and drains, etc."	
Read first time and referred to Committee on Swamp Lands and Drains . . .	102
Reported back and indefinitely postponed . . . . .	278

**No. 88. Introduced by SENATOR SELLER—**

"A bill for an act to provide for the location and perpetuation of lost section corners in certain cases."	
Read first time and referred to Committee on County and Township Business	102
Reported back . . . . .	189
Read second time and ordered engrossed . . . . .	187
Read third time and passed by Senate . . . . .	228

**No. 89. Introduced by SENATOR SHIVELEY—**

"A bill for an act creating a Board of Control to manage, control and govern the State Prison North, the State Prison South and the Indiana Reform School for Boys, etc."	
Read first time and referred to Committee on Prisons . . . . .	102
Reported back and indefinitely postponed . . . . .	574

## No. 90. Introduced by SENATOR WATSON—

"A bill for an act to amend an act providing for the appointment of Justices of the Peace, etc."	Page.
Read first time and referred to Committee on Judiciary . . . . .	103
Reported back . . . . .	195
Read second time and ordered engrossed . . . . .	232
Read third time and passed by Senate . . . . .	302
Returned from House with amendments . . . . .	1035
Amendments concurred in . . . . .	1036
Signed by President . . . . .	1050

## No. 91. Introduced by SENATOR WISHARD—

"A bill for an act concerning pensions for disabled or retired firemen and dependents of deceased firemen, providing for the pensioning of the widows and orphans of deceased firemen, etc."	
Read first time and referred to Committee on Cities and Towns . . . . .	103
Ordered printed . . . . .	180
Reported back . . . . .	249

## No. 92. Introduced by SENATOR CRANOR—

"A bill for an act to legalize the incorporation of the town of Albany, in Delaware County, in the State of Indiana, and to legalize the official acts of the several Boards of Trustees, and the official acts of all other officers of said town, etc."	
Read first time . . . . .	104
Constitutional rules suspended . . . . .	104
Read third time and passed . . . . .	104
Returned from House . . . . .	390
Report of Committee on Enrolled Bills . . . . .	469
Signed by President . . . . .	469
Signed by Governor . . . . .	506

## No. 93. Introduced by SENATOR McCUTCHAN—

"A bill for an act to provide for the examination and licensing of engineers in charge of stationary steam boilers and steam generating apparatus for cities of five thousand inhabitants and over."	
Read first time and referred to Committee on Judiciary . . . . .	106
Reported back . . . . .	253
Read second time and ordered engrossed . . . . .	322
Read third time and failed to pass . . . . .	786

## No. 94. Introduced by SENATOR ALEXANDER—

"A bill for an act regulating licenses of itinerant venders of goods, wares and merchandise, prescribing a penalty for its violation, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	116
Reported back . . . . .	1075

## No. 95. Introduced by SENATOR BAKER—

"A bill for an act to establish a Superior Court in the county of Grant, defining its authority and jurisdiction, providing for the appointment, election and compensation of the Judge thereof, and providing for a vacancy in the office of Judge of said Court, and declaring an emergency."	
Read second time and referred to Committee on Organization of Courts . . .	116
Reported back with substitute bill . . . . .	335
Amended substitute bill ordered engrossed . . . . .	471

## No. 96. Introduced by SENATOR BAKER—

"A bill for an act to prohibit the sale of intoxicating liquors at any place within one mile from any Soldiers' Home maintained wholly, or in part, by the State of Indiana or the United States of America within the State of Indiana."		Page.
Read first time and referred to Committee on Temperance . . . . .		116
Reported back with amendment . . . . .		464
Read second time and ordered engrossed . . . . .		519
Read third time, amended and passed . . . . .		561

## No. 97. Introduced by SENATOR BARNES—

"A bill for an act to provide for the erection and establishing of permanent meridian marks and lines upon the public grounds of counties in the State of Indiana at or near the county seats of such counties."		
Read first time and referred to Committee on County and Township Business . . . . .		116
Reported back with amendments . . . . .		357
Read second time and ordered engrossed . . . . .		378
Read third time and passed . . . . .		563
Returned by House . . . . .		1034
Reported by Committee on Enrolled Bills . . . . .		1050
Signed by the President . . . . .		1050
Signed by Governor . . . . .		1100

## No. 98. Introduced by SENATOR CRANOR—

"A bill for an act providing how and under what circumstances steam, water, gas and oil pipe lines, mains and conduits may be laid down, constructed and maintained over, under, along, across the public highways and free gravel roads of the State."		
Read first time and referred to Committee on Natural Gas . . . . .		117
Reported back . . . . .		1074

## No. 99. Introduced by SENATOR DUNCAN—

"A bill for an act to extend aid to the Indiana University, and declaring an emergency."		
Read first time and referred to Committee on Education . . . . .		117
Reported back and indefinitely postponed . . . . .		448

## No. 100. Introduced by SENATOR ELLISON—

"A bill for an act defining who shall be entitled to the benefits and subject to the provisions of the several laws of this State according the relief that shall be granted orphan children, and for which associations have been formed under voluntary association laws of this State, and repealing all laws in conflict therewith."		
Read first time and referred to Committee on Benevolent Institutions . . . . .		117
Reported back . . . . .		248
Read second time and ordered engrossed . . . . .		279
Read third time and passed by Senate . . . . .		312

## No. 101. Introduced by SENATOR ELLISON—

"A bill for an act concerning drainage, the repair of ditches and drains, and repealing all laws in conflict therewith, and declaring an emergency."		
Read first time and referred to Committee on Swamp Lands and Drains . . . . .		117
Reported back . . . . .		193
Substitute bill reported . . . . .		407
Postponed . . . . .		520
Amendments offered . . . . .	555, 556, 557, 558,	559
Referred to special committee and made special order . . . . .		559
Reported back with substitute, and ordered printed . . . . .		672
Read second time and made special order . . . . .		706
Amended and ordered engrossed . . . . .		720
Read third time and passed . . . . .		739

## No. 102. Introduced by SENATOR KERN—

"A bill for an act providing for the relief and support of Union ex-soldiers and sailors in indigent circumstances."	Page.
Read first time and referred to Committee on Military Affairs . . . . .	117
Motion to advance lost . . . . .	118
Motion to report . . . . .	118
Ordered printed . . . . .	180
Read second time and ordered engrossed. . . . .	532
Read third time and passed . . . . .	782

## No. 103. Introduced by SENATOR LAFOLLETTE—

"A bill for an act to authorize the issue of bonds by counties to procure necessary funds to complete court houses already under construction, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	118
Reported back . . . . .	194

## No. 104. Introduced by SENATOR LEYDEN—

"A bill for an act to amend section 2 of an act entitled an act supplemental to an act entitled an act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribing their powers and rights, etc.; approved March 14, 1876."	
Read first time and referred to Committee on Cities and Towns . . . . .	118
Reported back . . . . .	129
Constitutional rules suspended . . . . .	129
Read third time and passed by Senate . . . . .	130
Returned from House with amendment . . . . .	234
Amendment concurred in . . . . .	234
Report of Committee on Enrolled Bills . . . . .	368
Signed by President . . . . .	374
Signed by Governor . . . . .	506

## No. 105. Introduced by SENATOR McCUTCHAN—

"A bill for an act entitled an act to amend section 1 of an act concerning the organization and perpetuity of voluntary associations."	
Read first time and referred to Committee on Judiciary . . . . .	119
Withdrawn for amendment by consent of Senate . . . . .	190

## No. 106. Introduced by SENATOR McDONALD—

"A bill for an act legalizing the appointment of Township Trustees by Boards of County Commissioners where the predecessors of the Trustees appointed were of unsound mind at the time of such appointment."	
Read first time . . . . .	119
Constitutional rules suspended . . . . .	119
Read third time and passed by Senate . . . . .	120
Returned from House . . . . .	707
Reported by Committee on Enrolled Bills . . . . .	729
Signed by President . . . . .	729
Signed by Governor . . . . .	822

## No. 107. Introduced by SENATOR McDONALD—

"A bill for an act to amend section 1 of an act entitled an act regulating foreign insurance companies doing business in this State."	
Read first time and referred to Committee on Public Printing . . . . .	120
Reported back . . . . .	456
Read second time and ordered engrossed . . . . .	641
Read third time and passed . . . . .	813



**No. 108. Introduced by SENATOR McKELVEY—**

"A bill for an act to amend section 114 of an act concerning taxation, repealing all laws in conflict therewith, and declaring an emergency, and for the repeal of sections 112 and 113 of said act and all other laws and parts of laws in conflict therewith."	Page.
Read first time and referred to Committee on County and Township Business	121
Reported back and indefinitely postponed . . . . .	357

**No. 109. Introduced by SENATOR McLEAN—**

"A bill for an act to amend section 2 of an act entitled an act to amend an act to create a State Normal School, and declaring an emergency; approved December 20, 1865, and adding supplemental sections thereto and providing for certain appropriations; approved March 5, 1873, and declaring an emergency."	
Read first time and referred to Committee on Education . . . . .	121
Reported back . . . . .	266
Read second time and ordered engrossed . . . . .	301
Recommitted to Committee on Education . . . . .	316
Reported back . . . . .	448

**No. 110. Introduced by SENATOR NEWBY—**

"A bill for an act relating to the manufacture and sale of articles constructed in whole or in part of gold or silver or any alloy or imitation thereof, prescribing penalties, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	121
Reported back with amendments . . . . .	203
Read second time, amended and ordered engrossed . . . . .	301
Read third time and passed by Senate . . . . .	591

**No. 111. Introduced by SENATOR SCHNECK—**

"A bill for an act creating the office of Inspector of County Offices and Records, prescribing the duties thereof, providing penalties for certain offenses, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	121
Reported back . . . . .	163
Indefinitely postponed . . . . .	163

**No. 112. Introduced by SENATOR SELLER—**

"A bill for an act to repeal section 2 of an act entitled an act concerning elections and the contest thereof, approved April 21, 1881, being section 4679 of the Revised Statutes of 1881."	
Read first time and referred to Committee on Elections . . . . .	122
Reported back, majority and minority reports . . . . .	255
Minority report adopted . . . . .	256
Read second time and ordered engrossed . . . . .	322
Read third time and failed to pass . . . . .	428

**No. 113. Introduced by SENATOR SELLER—**

"A bill for an act to amend section 13 of an act entitled an act entitled an act to amend sections 2, 15, 19, 23, 26, 29, 34, 44, 45, 46, 47, 49, 52 and 65 of an act entitled an act concerning elections."	
Read first time and referred to Committee on Elections . . . . .	122
Reported back . . . . .	267
Read second time and ordered engrossed . . . . .	302
Read third time and recommitted . . . . .	315
Reported back with amendments and recommitted . . . . .	316
Reported back . . . . .	1085

## No. 114. Introduced by SENATOR SHIVELEY—

"A bill for an act to amend section 471 of an act entitled an act concerning proceedings in civil cases."	Page.
Read first time and referred to Committee on Judiciary . . . . .	123
Reported back . . . . .	168
Read second time, amended and ordered engrossed . . . . .	189

## No. 115. Introduced by SENATOR SHIVELEY—

"A bill for an act to amend section 347 of an act entitled an act concerning proceedings in civil cases."	
Read first time and referred to Committee on Judiciary . . . . .	122
Reported back . . . . .	214
Read second time and ordered engrossed . . . . .	244
Read third time and failed to pass . . . . .	429

## No. 116. Introduced by SENATOR STUART—

"A bill for an act to prohibit any officer of, or other person connected with, any bank in this State, to receive any money or commercial paper as a deposit from any person, knowing such bank to be insolvent."	
Read first time and referred to Committee on Banks . . . . .	123
Reported back amended . . . . .	217
Read second time and ordered engrossed . . . . .	245
Read third time and recommitted to Committee on Banks . . . . .	306
Substitute reported and recommitted to Committee on Judiciary . . . . .	317
Reported back and indefinitely postponed . . . . .	446, 456

## No. 117. Introduced by SENATOR STUART—

"A bill for an act to prevent corrupt practices in elections, to limit the expenses of candidates," etc.	
Read first time and referred to Committee on Elections . . . . .	123
Reported back and ordered printed . . . . .	256
Made special order. . . . .	302
Postponed . . . . .	495
Reported back and referred to special committee . . . . .	499
Substitute bill reported; ordered printed . . . . .	509
Read second time and ordered engrossed . . . . .	642
Read third time and passed . . . . .	711
Mentioned . . . . .	1080

## No. 118. Introduced by SENATOR SWEENEY—

"A bill for an act to amend section 389 of an act concerning proceedings in civil cases, approved April 7, 1881, and designated as section 546 of the Revised Statutes of 1881."	
Read first time and referred to Committee on Judiciary . . . . .	123
Reported back with substitute . . . . .	225
Read second time, amended and ordered engrossed . . . . .	280
Read third time and referred to the author for amendment . . . . .	313
Reported with amendment, read third time and passed . . . . .	318
Returned by House . . . . .	102, 104
Reported by Committee on Enrolled Bills . . . . .	1050
Signed by President . . . . .	1050
Signed by Governor . . . . .	1100

## 119. Introduced by SENATOR WATSON—

A bill for an act for the relocation of county seats in counties of this State having an area of more than five hundred square miles."	Page.
Read first time and referred to Committee on Judiciary . . . . .	123
Reported back, majority and minority reports . . . . .	306
Reports made special order . . . . .	308
Majority report adopted . . . . .	351
Recommitted to author for amendment. . . . .	378
Reported back with amendment . . . . .	483
Read second time and ordered engrossed . . . . .	486
Order for engrossing reconsidered, made special order. . . . .	497
Amended and ordered engrossed . . . . .	498
Read third time and failed to pass for lack of constitutional majority. . . . .	684
Called up and passed . . . . .	782
Returned from House . . . . .	851
Signed by President . . . . .	859
Vetoed by Governor . . . . .	1003
Passed over Governor's veto. . . . .	1004
Passed by House over Governor's veto . . . . .	1013

## 120. Introduced by SENATOR WISHARD—

'A bill for an act forbidding the location and construction of streets, alleys, highways, railroads, street railroads and electric railways through lands owned by cemeteries, etc, and declaring an emergency."	
Read first time and referred to Committee on Affairs of the City of Indianapolis. . . . .	124
Reported back . . . . .	149
Read second time and ordered engrossed . . . . .	197
Read third time and passed . . . . .	197
Reported by Committee on Enrolled Bills . . . . .	527
Returned from House . . . . .	380
Signed by President . . . . .	527
Signed by Governor . . . . .	555

## 121. Introduced by SENATOR WISHARD—

"A bill for an act to pay G. F. Bond and G. W. Baker for cattle and other property destroyed by order of the State Board of Health, and declaring an emergency."	
Read first time and referred to Committee on Claims . . . . .	124
Reported back . . . . .	358

## 122. Introduced by SENATOR SELLER—

"A bill for an act to provide for the settlement of guardianships between guardians and their wards, or other persons entitled, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	124
Reported back . . . . .	265
Read second time and ordered engrossed. . . . .	302
Read third time and passed . . . . .	317

## 123. Introduced by SENATOR WISHARD—

"A bill for an act to regulate the soliciting and writing of Life insurance, and to prohibit discriminations in life insurance, etc., and declaring an emergency."	
Read first time and referred to Committee on Insurance. . . . .	124
Reported back with amendment . . . . .	251
Read second time and ordered engrossed . . . . .	321
Read third time and passed . . . . .	403

## No. 124. Introduced by SENATOR WISHARD—

"A bill for an act changing the name of the Mutual Life and Endowment Association of Indiana to the name of the Mutual Life Insurance Company of Indiana."		Page.
Read first time and referred to Committee on Insurance . . . . .		194
Reported back . . . . .		193
Read second time, constitutional rules suspended . . . . .		222
Read third time and passed . . . . .		222
Returned from House . . . . .		895
Reported by Committee on Enrolled Bills . . . . .		912
Signed by President . . . . .		912
Signed by Governor . . . . .		959

## No. 125. Introduced by SENATOR WISHARD—

"A bill for an act exempting from taxation the property of cemeteries organized under the laws of this State."		
Read first time and referred to Committee on Finance . . . . .		125
Reported back . . . . .		192
Read second time and ordered engrossed . . . . .		223
Read third time and passed . . . . .		239
Returned from House . . . . .		380
Reported by Committee on Enrolled Bills . . . . .		536
Signed by President . . . . .		527
Signed by Governor . . . . .		584

## No. 126. Introduced by SENATOR McLEAN—

"A bill for an act to amend section 2 of an act entitled an act to create a State Normal School, and declaring an emergency."		
Read first time and Referred to Committee on Education . . . . .		125
Reported back . . . . .		447

## No. 127. Introduced by SENATOR GIFFORD—

"An act empowering cities and towns within the State of Indiana to regulate the prices for the consumption of natural gas therein, and declaring an emergency."		
Read first time and referred to Committee on Natural Gas . . . . .		125
Reported back . . . . .		1079

## No. 128. Introduced by SENATOR HAGGARD—

"A bill for an act authorizing cities and towns to issue bonds for the purpose of funding their indebtedness, or refunding the same, reducing the rate of interest on pre-existing obligations, etc."		
Read first time and referred to Committee on Cities and Towns . . . . .		132
Reported back . . . . .		180
Read second time, amended and ordered engrossed . . . . .		281
Read third time and passed . . . . .		314
Returned from House . . . . .		737
Reported by Committee on Enrolled bills . . . . .		747
Signed by President . . . . .		747
Signed by Speaker of House . . . . .		822

## No. 129. Introduced by SENATOR KERN—

"A bill for an act to amend section 3 of an act approved March 4, 1893, entitled an act to regulate sewer improvements in towns and cities, and declaring an emergency."	
Read second time and referred to Committee on Affairs of City of Indianapolis	Page. 132
Reported back . . . . .	148
Read second time and ordered engrossed . . . . .	532
Read third time and passed . . . . .	595
Returned from House . . . . .	737
Reported by Committee on Enrolled Bills . . . . .	747
Signed by President . . . . .	747
Approved by Governor . . . . .	822

## No. 130. Introduced by SENATOR McCORD—

"A bill for an act to amend section 18 of an act entitled an act to authorize and regulate the incorporation of banks of discount and deposit in the State of Indiana; approved February 7, 1873."	
Read first time and referred to Committee on Banks . . . . .	132
Reported back . . . . .	217
Read second time and recommitted to Committee on Banks . . . . .	321

## No. 131. Introduced by SENATOR McCUTCHAN—

"A bill for an act for the reorganization of the Indiana militia, prescribing regulations and penalties for violations thereof, providing for the election and appointment of officers, defining the rights and duties of civil and military officers, etc."	
Read first time and referred to Committee on Military Affairs . . . . .	132

## No. 132. Introduced by SENATOR McLEAN—

"A bill for an act making appropriations for the Indiana State Normal School, and declaring an emergency."	
Read first time and referred to Committee on Education . . . . .	133
Reported back . . . . .	448
Read third time and passed . . . . .	198

## No. 133. Introduced by SENATOR McLEAN—

"A bill for an act to amend an act entitled an act to amend section one of an act entitled an act to amend section four (4) of an act entitled an act to amend an act entitled an act to create a State Normal School."	
Read first time and referred to Committee on Education . . . . .	133

## No. 134. Introduced by SENATOR SHIVELEY—

"A bill for an act to provide for the publication, distribution and preservation of the reports and papers of the Indiana Academy of Science, and declaring an emergency."	
Read first time and referred to Committee on Education . . . . .	133
Reported back and ordered printed . . . . .	266
Read second time and ordered printed . . . . .	497
Substituted by House Bill No. 136 . . . . .	820-821

## No. 135. Introduced by SENATOR SHIVELEY—

"A bill for an act to repeal section 4 of an act entitled an act concerning husband and wife, approved April 16, 1881, being section 5119 of the Revised Statutes of 1881, and being section 6964 of Burns' Revised Statutes of 1894."	
Read first time and referred to Committee on Judiciary . . . . .	133
Reported back and indefinitely postponed . . . . .	442

## No. 136. Introduced by SENATOR VAIL—

"A bill for an act to amend an act entitled an act authorizing the Common Councils of cities, organized under an act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribing their powers and rights, etc."	Page.
Read first time and referred to Committee on Cities and Towns . . . . .	13
Substitute bill reported . . . . .	268
Read second time and ordered engrossed . . . . .	322
Read third time and passed . . . . .	815
Notice of a motion to reconsider . . . . .	816
Returned from House . . . . .	908
Reported by Committee on Enrolled Bills . . . . .	912
Signed by President . . . . .	912

## No. 137. Introduced by SENATOR WATSON—

"A bill for an act for the relief of Reuben P. Main and appropriating money, and declaring an emergency."	
Read first time and referred to Committee on Claims . . . . .	134
Reported back . . . . .	574
Read second time and ordered engrossed . . . . .	690
Read third time, amended and passed . . . . .	790

## No. 138. Introduced by SENATOR WISHARD—

"A bill for an act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same among the several counties of the State, and to repeal all laws in conflict therewith."	
Read first time and referred to Committee on Legislative Apportionment . .	134
Reported back . . . . .	1068

## No. 139. Introduced by SENATOR WISHARD—

"A bill for an act to ratify and confirm the appointment of George W. Julian and William A. Meloy as counsel and agents for the State of Indiana, etc."	
Read first time and referred to Committee on Claims . . . . .	134
Reported back, with majority and minority reports . . . . .	655

## No. 140. Introduced by SENATOR McLEAN—

"A bill for an act for the incorporation of fire insurance companies in this State, defining their powers and prescribing their duties."	
Read first time and referred to Committee on Insurance . . . . .	136

## No. 141. Introduced by SENATOR SHIVELEY—

"A bill for an act entitled an act to amend section 256 of an act entitled an act concerning proceedings in civil cases, approved April 7, 1881, it being section 413 of the Revised Statutes of 1881, and being section 417 of Burns' Revised Statutes of 1894."	
Read first time and referred to Committee on Judiciary . . . . .	136
Reported back . . . . .	212
Read second time and ordered engrossed . . . . .	244

**No. 142. Introduced by SENATOR STUART—**

"A bill for an act providing that Circuit Courts may authorize employment of clerical assistants by Probate Commissioners, fixing in what manner such assistants shall be paid, and declaring an emergency."		Page.
Read first time and referred to Committee on Affairs of City of Indianapolis.		138
Reported back . . . . .		363
Read second time . . . . .		430
Constitutional rules suspended . . . . .		431
Read third time and passed . . . . .		431
Returned from House with amendments . . . . .		740
House amendments concurred in . . . . .		741
Report of Committee on Enrolled Bills . . . . .		802
Signed by President . . . . .		802
Approved by Governor . . . . .		874

**No. 143. Introduced by SENATOR HAGGARD—**

"A bill for an act to amend sections 1 and 3 of an act entitled an act to amend section 3 of an act entitled an act to regulate foreign insurance companies doing business in this State."		
Read first time and referred to Committee on Insurance . . . . .		138
Reported back and indefinitely postponed . . . . .	359,	572
Report of committee withdrawn . . . . .		362

**No. 144. Introduced by SENATOR KERN—**

"A bill for an act to fix the salaries of the Judges of the Criminal Courts of this State, and to provide for the time and manner of payment, and to repeal all laws in conflict therewith, and declaring an emergency."		
Read first time and referred to Committee on Affairs of City of Indianapolis.		139
Reported back . . . . .		193
Read second time and ordered engrossed . . . . .		223
Read third time and passed . . . . .		240

**No. 145. Introduced by SENATOR McCUTCHAN—**

"A bill for an act fixing the salaries of County Commissioners, prescribing penalties, and declaring an emergency."		
Read first time and referred to Committee on County and Township Business		140
Reported back with amendment . . . . .		468
Read second time and ordered engrossed . . . . .		697

**No. 146. Introduced by SENATOR SELF—**

"A bill for an act to amend section 5 of an act entitled an act to amend an act entitled an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties and matters connected therewith."		
Read first time and referred to Committee on Education . . . . .		140
Reported back and indefinitely postponed . . . . .		266

**No. 147. Introduced by SENATOR SHIVELEY—**

"A bill for an act to amend section 2 of an act entitled an act to amend sections 18, 19 and 21 of an act entitled an act in relation to the laying out, opening, widening, altering and vacation of streets, alleys and highways."		
Read first time and referred to Committee on Judiciary . . . . .		140
Reported back . . . . .		213
Read second time and ordered engrossed . . . . .		244
Read third time and passed . . . . .		429
Signed by the President . . . . .		1099
Returned from House . . . . .		1048

## No. 148. Introduced by SENATOR VAIL—

"A bill for an act to amend sections 1, 6 and 9 of an act entitled an act to encourage the erection and operation of water-works in cities and towns by incorporated associations, etc."	Page.
Read first time and referred to Committee on Cities and Towns . . . . .	141
Reported back . . . . .	180
Read second time and ordered engrossed . . . . .	322
Read third time and passed . . . . .	435
Returned from House with amendments . . . . .	1043
Amendments concurred in . . . . .	1044
Reported by Committee on Enrolled Bills . . . . .	1050
Signed by President . . . . .	1050
Signed by Governor . . . . .	1100

## No. 149. Introduced by SENATOR WRAY—

"A bill for an act to provide for free licenses to ex-soldiers and sailors of the United States residing in the State of Indiana, etc."	
Read first time and referred to Committee on Military Affairs . . . . .	141
Reported back . . . . .	473
Read second time and ordered engrossed . . . . .	541
Read third time and passed . . . . .	563
Received from House . . . . .	1048
Signed by President . . . . .	1059
Signed by Governor . . . . .	1100

## No. 150. Introduced by SENATOR WRAY—

"A bill for an act to provide for the recovery of the possession of real property, to quiet title thereto, to limit the effect of the opinions of the Supreme Court relating to the same, and matters properly connected therewith, and to declare an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	141
Reported back and indefinitely postponed . . . . .	609

## No. 151. Introduced by SENATOR SCHNECK—

"A bill for an act to create a system of reformatory prisons in the State of Indiana, and declaring an emergency."	
Read first time and referred to Committee on Prisons . . . . .	141

## No. 152. Introduced by SENATOR HOLLER—

"A bill for an act concerning voluntary associations for the purpose of insuring property against loss by fire and damage by lightning."	
Read first time and referred to Committee on Insurance . . . . .	142

## No. 153. Introduced by SENATOR WISHARD—

"A bill for an act to amend section 2 of an act entitled an act regulating liability of railroads and other corporations, except municipal, for personal injury to persons employed by them."	
Read first time and referred to Committee on Judiciary . . . . .	142
Reported back with amendments . . . . .	606
Read second time and ordered engrossed . . . . .	638
Read third time and passed . . . . .	710
Returned from House . . . . .	910
Reported by Committee on Enrolled Bills . . . . .	912
Signed by President . . . . .	912
Signed by Governor . . . . .	959



## 154. Introduced by SENATOR DUNCAN—

A bill for an act to amend section 2 of an act to authorize the change of county boundaries, and declare an emergency, approved March 10, 1875, and being section 4209 of the Revised Statutes of 1881."	Page.
Read first time and referred to Committee on County and Township Business . . . . .	143
Reported back . . . . .	465
Read second time and ordered engrossed. . . . .	687

## . 155. Introduced by SENATOR BOYD—

A bill for an act fixing the compensation and prescribing the duties of certain State and county officers, etc."	
Read first time and referred to Committee on Fees and Salaries. . . . .	149

## . 156. Introduced by SENATOR BOYD—

' A bill for an act providing for the compensation of attorneys in suits which they bring, compromised without payment or tender of reasonable fee."	
Read first time and referred to Committee on Judiciary . . . . .	150

## o. 157. Introduced by SENATOR BOYD—

" A bill for an act repealing provision 2 of section 10 of an act creating an Appellate Court, and defining its jurisdiction, approved February 28, 1891, and declaring an emergency."	
Read first time and referred to Committee on Organization of Courts. . . . .	150
Reported back and indefinitely postponed . . . . .	770

## o. 158. Introduced by SENATOR COLLETT—

" A bill for an act regulating the office of County Assessor, limiting time of service, repealing all laws in conflict therewith, and declaring an emergency,"	
Read first time and referred to Committee on County and Township Business. . . . .	150
Substitute bill reported . . . . .	502
Read second time, amended and ordered engrossed . . . . .	639
Read third time and passed . . . . .	727
Returned from House . . . . .	974
Reported by Committee on Enrolled Bills . . . . .	1009
Signed by President . . . . .	1010
Vetoed by Governor . . . . .	1015
Passed over Governor's veto . . . . .	1016

## No. 159. Introduced by SENATOR COLLETT—

" A bill for an act to amend section 2 of an act approved March 8, 1873, entitled an act to amend an act entitled an act to provide for a general system of common schools."	
Read first time and referred to Committee on County and Township Business . . . . .	150
Reported back and indefinitely postponed . . . . .	376

## No. 160. Introduced by SENATOR McHUGH—

" A bill for an act entitled an act authorizing a change of use in the lot of ground appropriated to the citizens of Indianapolis as a public burying ground."	
Read first time and referred to Committee on Affairs of City of Indianapolis. . . . .	151
Reported back . . . . .	1073

## No. 161. Introduced by SENATOR McMANUS—

"A bill for an act to authorize cities containing a population of ten thousand or more to create the office of Police Matron."	Page.
Read first time and referred to Committee on Judiciary . . . . .	151
Reported back with amendment . . . . .	215
Read second time and ordered engrossed . . . . .	379
Read third time and passed . . . . .	404
Returned from House . . . . .	940
Reported by Committee on Enrolled Bills . . . . .	942
Signed by President . . . . .	942
Signed by Governor . . . . .	959

## No. 162. Introduced by SENATOR O'BRIEN—

"A bill for an act defining the Fortieth Judicial Circuit."	
Read first time and referred to Committee on Organization of Courts . . . .	151
Substitute reported . . . . .	335
Reported back and indefinitely postponed . . . . .	573

## No. 163. Introduced by SENATOR SHIVELEY—

"A bill for an act to amend sections 4, 5 and 10 of an act to amend an act entitled an act to provide for a general system of common schools."	
Read first time and referred to Committee on Education . . . . .	151
Reported back . . . . .	300
Read second time and ordered engrossed . . . . .	378
Read third time and passed . . . . .	593
Returned from House . . . . .	846
Signed by President . . . . .	861
Report of Committee on Enrolled Bills . . . . .	851
Signed by Governor . . . . .	859

## No. 164. Introduced by SENATOR SHIVELEY—

"A bill for an act to amend an act entitled an act to provide for a general system of common schools."	
Read first time and referred to Committee on Education . . . . .	152
Reported back . . . . .	451
Read second time and ordered engrossed . . . . .	541

## No. 165. Introduced by SENATOR BOORD—

"A bill for an act to amend section twelve (12) of an act of the General Assembly of the State of Indiana, entitled an act for the incorporation of building, loan fund and savings associations."	
Read first time and referred to Committee on Corporations . . . . .	153
Reported back and substitute bill offered, recommended to pass and ordered printed . . . . .	622
Made special order . . . . .	819
Amendments offered . . . . . 825, 826, 827, 828, 829, 830, 831	831
Ordered engrossed . . . . .	833
Ordered printed and made special order . . . . .	833
Special order postponed . . . . .	846
Recommitted . . . . .	873
Read third time . . . . .	873
Failed to pass . . . . .	885

## No. 166. Introduced by SENATOR ALEXANDER—

"A bill for an act regulating descent and apportionment of estates and defining the rights of second or subsequent childless wives, etc."	
Read first time and referred to Committee on Judiciary . . . . .	154
Reported back . . . . .	762

No. 167. Introduced by SENATOR ALEXANDER—

"A bill for an act repealing section 3 of an act entitled an act to provide for the recording of wills and orders of court in certain cases, approved March 9, 1891, and declaring an emergency."		Page.
Read first time and referred to Committee on Judiciary . . . . .		156
Reported back and indefinitely postponed . . . . .		763.

No. 168. Introduced by SENATOR BIRD—

"A bill for an act to protect domestic animals, domestic fowls, providing for the registration and taxation of dogs, etc."		
Read first time and referred to Committee on Agriculture . . . . .		156.
Reported back . . . . .		196
Read second time and ordered engrossed . . . . .		279
Read third time and recommitted . . . . .		304
Reported back . . . . .		304
Passed . . . . .		306.

No. 169. Introduced by SENATOR BOORD—

"A bill for an act concerning public offenses and their punishments."		
Read first time and referred to Committee on Corporations . . . . .		157
Reported back . . . . .		613
Offered as a substitute for Bill No. 303 . . . . .		788
Read second time and ordered engrossed . . . . .		710.

No. 170. Introduced by SENATOR COLLETT—

"A bill for an act providing an item for general appropriation bill."		
Read second time and referred to Committee on Benevolent Institutions . .		157
Reported back . . . . .		769

No. 171. Introduced by SENATOR COLLETT—

"A bill for an act providing for the construction and equipment of two annexes at the Northern Hospital for Insane at Logansport, etc."		
Read first time and referred to Committee on Benevolent Institutions . . .		157
Reported back and ordered printed . . . . .		457

No. 172. Introduced by SENATOR DUNCAN—

"A bill for an act in relation to changes of venue, and to repeal all laws conflicting therewith, and declaring an emergency."		
Read first time and referred to Committee on Judiciary . . . . .		157
Reported back with amendments . . . . .		212
Read second time and ordered engrossed . . . . .	240-326	
Read third time and passed . . . . .		396

No. 173. Introduced by SENATOR HUMPHREYS—

"A bill for an act to amend section 3 of an act approved March 7, 1857, relating to the printing, binding and distribution of the session's acts of General Assembly, and declaring an emergency."		
Read first time and referred to Committee on Judiciary . . . . .		158
Reported back and indefinitely postponed . . . . .		761

No. 174. Introduced by SENATOR KERN—

"A bill for an act making an appropriation to pay William H. Drapier for Brevier Legislative Reports of the dates and proceedings of the 51st, 52d and 53d General Assemblies."		
Read first time and referred to Committee on Finance . . . . .		158
Reported back and ordered printed . . . . .		267

## No. 175. Introduced by SENATOR McCUTCHAN—

"A bill for an act to appropriate \$2,934.04 to reimburse Stephen A. Bate, for money and material expended, in addition to contract price, for the erection of public buildings, and declaring an emergency."	
Read first time and referred to Committee on Claims . . . . .	158
Withdrawn from Senate by the author . . . . .	1080

## No. 176. Introduced by SENATOR McDONALD—

"A bill for an act for the protection of public ditches and drains."	
Read first time and referred to Committee on Swamp Lands . . . . .	159
Reported back and indefinitely postponed . . . . .	278

## No. 177. Introduced by SENATOR NEWBY—

"A bill for an act relating to the proceedings in civil cases, and relating to the foreclosure of liens and the mode and manner of service of notice, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	159
Reported back . . . . .	285
Read second time and ordered engrossed . . . . .	302
Read third time and passed . . . . .	589
Returned from House . . . . .	1034
Reported by Committee on Enrolled Bills . . . . .	1050
Signed by President . . . . .	1050
Signed by Governor . . . . .	1100

## No. 178. Introduced by SENATOR SELF—

"A bill for an act to amend section 190 of an act entitled an act concerning public offenses and their punishment."	
Read first time and referred to Committee on Temperance . . . . .	159
Reported back . . . . .	490
Read second time and ordered engrossed . . . . .	642

## No. 179. Introduced by SENATOR SELLER—

"A bill for an act to amend section 1 of the act of March 9, 1889, providing for the bidding in and sale of lands mortgaged to secure school loans, and declaring an emergency."	
Read first time and referred to Committee on County and Township Business . . . . .	159
Reported back and indefinitely postponed . . . . .	377

## No. 180. Introduced by SENATOR SELLER—

"A bill for an act requiring Township Trustees to keep a register of township orders and prescribing penalties."	
Read first time and referred to Committee on County and Township Business . . . . .	160
Reported back . . . . .	376
Read second time and ordered engrossed . . . . .	508
Read third time and passed . . . . .	576
Amended title adopted . . . . .	576
Returned by House . . . . .	940
Signed by Governor . . . . .	959

**No. 181. Introduced by SENATOR SHIVELEY—**

<b>"A bill for an act to authorize depositions to be taken to probate wills."</b>	<b>Page.</b>
Read first time and referred to Committee on Judiciary . . . . .	160
Reported back . . . . .	214
Read second time and ordered engrossed . . . . .	244
Read third time and passed . . . . .	433
Returned from House . . . . .	1014
Reported by Committee on Enrolled Bills . . . . .	1012
Signed by President . . . . .	1013
Signed by Governor . . . . .	1061

**No. 182. Introduced by SENATOR SHIVELEY—**

<b>"A bill for an act for the protection of hotel-keepers, inn keepers, and boarding and eating house keepers, etc."</b>	
Read first time and referred to Committee on Judiciary . . . . .	160
Reported back . . . . .	447
Read second time and ordered engrossed . . . . .	639

**No. 183. Introduced by SENATOR STUART—**

<b>"A bill for an act fixing the compensation and prescribing the duties of certain State and county officers, and providing penalties for the violation of its provisions."</b>	
Read first time and referred to Committee on Fees and Salaries. . . . .	160

**No. 184. Introduced by SENATOR SWEENEY—**

<b>"A bill for an act compelling insurance companies to pay the insured the full amount of policy, etc."</b>	
Read first time and referred to Committee on Insurance . . . . .	160
Reported back with majority and minority reports, and indefinitely postponed	361

**No. 185. Introduced by SENATOR HAGGARD—**

<b>"A bill for an act relating to the manufacture and sale of articles constructed in whole or in part of gold or silver, or any alloy or imitation thereof, prescribing penalties and declaring an emergency."</b>	
Read first time and referred to Committee on Judiciary . . . . .	161
Reported back and indefinitely postponed . . . . .	252

**No. 186. Introduced by SENATOR COLLETT—**

<b>"A bill for an act to amend section nine (9) of an act entitled an act concerning highways and supervisors thereof, approved March 2, 1883, repealing all laws in conflict therewith and declaring an emergency."</b>	
Read first time and referred to Committee on Roads. . . . .	161
Reported back . . . . .	215
Read second time and referred to special committee for amendment . . . . .	279
Reported back . . . . .	358
Read second time and ordered engrossed . . . . .	378
Read third time and passed . . . . .	440
Returned from House . . . . .	943
Reported by Committee on Enrolled Bills . . . . .	963
Signed by President . . . . .	963
Signed by Governor . . . . .	1013

## No. 187. Introduced by SENATOR ALEXANDER—

"A bill for an act repealing section 279 of an act concerning proceedings in civil cases, approved April 7, 1881, being section 501 of the Revised Statutes of 1881, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	Page. 162
Reported back and indefinitely postponed . . . . .	257

## No. 188. Introduced by SENATOR MULL—

"A bill for an act entitled an act prescribing certain duties of persons, firms and corporations operating telephone exchanges, etc."	
Read first time and referred to Committee on Corporations . . . . .	162

## No. 189. Introduced by SENATOR PHARES—

"A bill for an act to prevent blindness in children, and providing a penalty therefor."	
Read first time and referred to Committee on Public Health and Vital Statistics . . . . .	162
Reported back with amendments . . . . .	655

## No. 190. Introduced by SENATOR SELLER—

"A bill for an act to amend sections 1 and 3 of an act entitled an act relative to the printing, binding and distribution of the acts, etc."	
Read first time and referred to Committee on Judiciary . . . . .	162
Reported back with amendments . . . . .	769

## No. 191. Introduced by SENATOR CRANOR—

"A bill for an act to divide the State of Indiana into Congressional districts, and repealing all laws and parts of laws in conflict therewith."	
Read first time and referred to Committee on Congressional Apportionment .	169

## No. 192. Introduced by SENATOR COLLETT—

"A bill for an act to amend section 255 of an act entitled an act concerning proceedings in civil cases, etc."	
Read first time and referred to Committee on Judiciary . . . . .	170
Reported back . . . . .	258
Read second time and ordered engrossed . . . . .	321
Read third time and failed to pass . . . . .	365

## No. 193. Introduced by SENATOR ALEXANDER—

"A bill for an act to amend section 1 of an act entitled an act authorizing the appointment of shorthand reporters for certain courts of record in this State."	
Read first time and referred to Committee on Judiciary . . . . .	179
Reported back . . . . .	275
Read second time, amended and ordered engrossed . . . . .	330
Read third time, amended and passed . . . . .	561
Reported by Committee on Enrolled Bills . . . . .	963
Returned from House . . . . .	965
Signed by President . . . . .	963
Signed by Governor . . . . .	1051

## No. 194. Introduced by SENATOR LAFOLLETTE—

"A bill for an act defining the Twenty-sixth Judicial Circuit, etc."	
Read first time and referred to Committee on Organisation of Courts . . . .	170
Reported back and indefinitely postponed . . . . .	573

## No. 195. Introduced by SENATOR NEWBY—

"A bill for an act for the relief of Robert T. Overman, etc."	Page.
Read first time and referred to Committee on Claims . . . . .	170
Reported back . . . . .	472
Read second time and ordered engrossed . . . . .	639
Read third time and passed . . . . .	724
Returned from House with amendment . . . . .	914
House amendments concurred in . . . . .	958
Reported by Committee on Enrolled Bills . . . . .	974
Signed by President . . . . .	974
Signed by Governor . . . . .	1014

## No. 196. Introduced by SENATOR ALEXANDER—

"A bill for an act to amend sections 196 and 207 of an act entitled an act concerning proceedings in Criminal cases, etc."	
Read first time and referred to Committee on Judiciary . . . . .	173
Reported back and indefinitely postponed . . . . .	275

## No. 197. Introduced by SENATOR CRUMPACKER (by request)—

"A bill for an act to establish a Department of Public Parks in cities having more than one hundred thousand population."	
Read first time and referred to Committee on City of Indianapolis . . . . .	173
Reported back . . . . .	382
Constitutional rules suspended . . . . .	687
Read third time and passed . . . . .	688

## No. 198. Introduced by SENATOR CRUMPACKER—

"A bill for an act to provide for the removal of obstructions, straightening and otherwise improving the Kankakee River, etc."	
Read first time and referred to Committee on Swamp Lands . . . . .	173
Reported back and indefinitely postponed . . . . .	277

## No. 199. Introduced by SENATOR KERN (by request)—

"A bill for an act entitled an act to amend section 1 of an act entitled an act to amend section 2 of an act approved March 4, 1853, to amend the 18th, 24th, 25th and 26th sections of an act entitled an act regulating descents and the apportionment of estates, approved May 14, 1862."	
Read first time and referred to Committee on Judiciary . . . . .	174
Reported back and indefinitely postponed . . . . .	346

## No. 200. Introduced by SENATOR KERN—

"A bill for an act to amend section four (4) of an act entitled an act to repeal an act to amend the first and thirteenth sections of an act to establish Superior Courts, etc."	
Read first time and referred to Committee on City of Indianapolis . . . . .	174
Reported back with amendment . . . . .	382
Read second time and ordered engrossed . . . . .	497
Read third time and passed . . . . .	596

## No. 201. Introduced by SENATOR LAFOLLETTE—

"A bill for an act providing for burial permits in all cases of death, making death reports, providing penalties, and declaring an emergency."	
Read first time and referred to Committee on Medicine, Health and Vital Statistics . . . . .	175
Reported back and indefinitely postponed . . . . .	654

## No. 202. Introduced by SENATOR McLEAN—

"A bill for an act to provide for the establishment of an Industrial Home for the Blind, etc."	Page.
Read first time and referred to Committee on Benevolent Institutions . . . .	175
Reported back and ordered printed . . . . .	457
Read second time and ordered engrossed . . . . .	638
Read third time and recommitted . . . . .	781
Reported back with amendments . . . . .	782
Failed to pass . . . . .	782

## No. 203. Introduced by SENATOR MULL—

"A bill for an act concerning licenses, fixing fees therefor, etc."	
Read first time and referred to Committee on Agriculture . . . . .	175

## No. 204. Introduced by SENATOR SELF—

"A bill for an act to legalize the incorporation of the town of Alton, Crawford County, Indiana," etc.	
Read first time . . . . .	175
Constitutional rules suspended . . . . .	176
Read third time and passed . . . . .	176
Reported by Committee on Enrolled Bills . . . . .	527
Signed by President . . . . .	528
Signed by Governor . . . . .	556

## No. 205. Introduced by SENATOR SELLER—

"A bill for an act to amend sections 1, 2, 5, 6, 7, 8 and 10 of an act entitled an act concerning the construction of free gravel roads," etc.	
Read first time and referred to Committee on Roads . . . . .	176
Reported back . . . . .	258
Read second time and ordered engrossed . . . . .	322
Read third time and passed . . . . .	432
Returned from House with amendments . . . . .	367
Amendments concurred in . . . . .	369
Reported by Committee on Enrolled Bills . . . . .	307
Signed by President . . . . .	307
Signed by Governor . . . . .	354

## No. 206. Introduced by SENATOR SELLER—

"A bill for an act defining certain misdemeanors and fixing punishments for the violation thereof."	
Read first time and referred to Committee on Judiciary . . . . .	177
Reported back and indefinitely postponed . . . . .	208

## No. 207. Introduced by SENATOR SHIVELEY—

"A bill for an act concerning libel in civil and criminal cases."	
Read first time and referred to Committee on Judiciary . . . . .	177
Reported back . . . . .	258
Read second time, amended and ordered engrossed . . . . .	497
Read third time and passed . . . . .	538
Returned from House . . . . .	753
Report of Committee on Enrolled Bills . . . . .	785
Signed by President . . . . .	785
Signed by Governor . . . . .	822



## 208. Introduced by SENATOR SHIVELEY—

A bill for an act to amend section 1 of an act fixing the salary of Township Assessors and Trustees," etc.	Page.
Read first time and referred to Committee on Cities and Towns . . . . .	177

## . 209. Introduced by SENATOR WHITE—

A bill for an act to legalise the incorporation of the town of Grandview, in the county of Spencer and State of Indiana," etc.	
Read first time, constitutional rules suspended . . . . .	177
Read third time and passed . . . . .	178
Returned from House . . . . .	380
House amendments concurred in . . . . .	553
Reported by Committee on Enrolled Bills . . . . .	580
Signed by President . . . . .	580
Reported by Committee on Enrolled Bills . . . . .	729
Signed by President . . . . .	729
Signed by Governor . . . . .	742

## o. 210. Introduced by SENATOR HUMPHREYS—

"A bill for an act relating to the duties of County Coroners."	
Read first time and referred to Committee on County and Township Business.	178
Substitute bill reported back . . . . .	374
Read second time and ordered engrossed . . . . .	500
Read third time and passed . . . . .	749

## o. 211. Introduced by SENATOR VAIL—

"A bill for an act to amend sections 1 and 2 of an act entitled an act to abolish the office of and Board of Trustees of Water-Works in cities and incorporated towns," etc.	
Read first time and referred to Committee on Cities and Towns. . . . .	178
Reported back . . . . .	364
Read second time and ordered engrossed . . . . .	531
Read third time, referred to author, reported back and passed . . . . .	594
Returned from House . . . . .	851
Reported by Committee on Enrolled Bills . . . . .	860
Signed by President . . . . .	860
Signed by Governor . . . . .	959

## No. 212. Introduced by SENATOR SELLER—

"A bill for an act authorising Prosecuting Attorneys to administer oaths in certain cases."	
Read first time and reported to Committee on Judiciary . . . . .	185
Reported back . . . . .	296
Read second time and ordered engrossed . . . . .	378
Read third time and passed . . . . .	427

## No. 213. Introduced by SENATOR McCUTCHAN—

"A bill for an act to amend sections 14, 17, 18, 23, 26, 31, 33, 47, 51, 52, 54, 55, 59, 60, 61, 63, 64, 73, 74, 77, 81, 85, 86, 87, 88, 89, 90, 91, 93, 94, 109, 115, 116, 122, 131 and 148 of an act concerning the incorporation and government of cities, etc."	
Read first time and referred to Committee on Cities and Towns. . . . .	185
Reported back and constitutional rules suspended . . . . .	237
Advanced to second reading and constitutional rules suspended . . . . .	284
Read third time and passed . . . . .	285
Returned from House . . . . .	942
Signed by President . . . . .	974
Reported by Committee on Enrolled Bills . . . . .	974
Signed by Governor . . . . .	1072

## No. 214. Introduced by SENATOR WISHARD—

"A bill for an act to amend sections four (4), fifty (50) and fifty-three (53) of an act entitled an act concerning taxation, etc."	Page.
Read first time and referred to Committee on Finance. . . . .	185

## No. 215. Introduced by SENATOR WISHARD—

"A bill for an act appropriating money for the claim of Timothy T. Sheehan, etc."	
Read first time and referred to Committee on Claims . . . . .	186
Reported back . . . . .	358
Read second time and ordered engrossed . . . . .	500
Read third time and passed . . . . .	58
Returned from House . . . . .	974
Reported by Committee on Enrolled Bills . . . . .	1009
Signed by President . . . . .	1010
Signed by Governor . . . . .	1013

## No. 216. Introduced by SENATOR WISHARD—

"A bill for an act to license, regulate and prohibit the keeping or harboring of dogs, etc."	
Read first time and referred to Committee on County and Township Business . . . . .	186
Reported back and indefinitely postponed . . . . .	46

## No. 217. Introduced by SENATOR WISHARD—

"A bill for an act regulating and prescribing the manner of procedure by County Commissioners, Township Trustees, etc."	
Read first time and referred to Committee on County and Township Business . . . . .	186

## No. 218. Introduced by SENATOR WISHARD—

"A bill for an act for the protection of fish."	
Read first time and referred to Committee on County and Township Business . . . . .	186
Reported back and indefinitely postponed . . . . .	267
Read second time and ordered engrossed . . . . .	342

## No. 219. Introduced by SENATOR McCUTCHAN—

"A bill for an act concerning pensions for disabled or retired firemen and dependents of deceased firemen, etc."	
Read first time and referred to Committee on Judiciary . . . . .	186
Reported back . . . . .	274
Read second time and postponed . . . . .	279
Indefinitely postponed . . . . .	43

## No. 220. Introduced by SENATOR McCUTCHAN—

"A bill for an act requiring instruction and practice in common schools of cities and certain educational institutions of physical culture."	
Read first time and referred to Committee on Education . . . . .	187
Reported back and indefinitely postponed . . . . .	76

## No. 221. Introduced by SENATOR McCORD—

"A bill for an act to amend section 11 of an act entitled an act providing for the settlement and distribution of decedent's estates, etc."	
Read first time and referred to Committee on Judiciary . . . . .	187
Reported back with amendment . . . . .	273
Read second time and ordered engrossed . . . . .	380
Read third time and passed . . . . .	406

**No. 222. Introduced by SENATOR ALEXANDER—**

"A bill for an act to provide for the distribution of money paid into court by an executor or administrator upon final settlement, etc."	Page.
Read first time and referred to Committee on Judiciary . . . . .	189
Reported back and indefinitely postponed . . . . .	274

**No. 223. Introduced by SENATOR GIFFORD—**

"A bill for an act providing for the creation of the office of State Bacteriologist, etc."	
Read first time and referred to Committee on Public Health . . . . .	189
Reported back and ordered printed . . . . .	472
Read second time and ordered engrossed . . . . .	640

**No. 224. Introduced by SENATOR KERN (by request)—**

"A bill for an act to amend section 6 of an act entitled an act defining who are persons of unsound mind, etc."	
Read first time and referred to Committee on Judiciary . . . . .	190
Reported back . . . . .	296
Read second time and ordered engrossed . . . . .	500
Read third time and passed . . . . .	588

**No. 225. Introduced by SENATOR McDONALD—**

"A bill for an act entitled an act to define the qualification of County Superintendents."	
Read first time and referred to Committee on Education . . . . .	190
Reported back and ordered printed . . . . .	450
Read second time and ordered engrossed . . . . .	643
Read third time and failed to pass . . . . .	817

**No. 226. Introduced by SENATOR NEWBY—**

"A bill for an act to provide for a record of persons receiving aid from public funds, etc."	
Read first time and referred to Committee on Judiciary . . . . .	190
Reported back . . . . .	275
Read second time and ordered engrossed . . . . .	302
Read third time and passed . . . . .	407
Returned from House . . . . .	1059
Reported by Committee on Enrolled Bills . . . . .	1098, 1099, 1100
Signed by President . . . . .	1098, 1100
Signed by Governor . . . . .	1100

**No. 227. Introduced by SENATOR PHARES—**

"A bill for an act defining the duties of Notaries Public."	
Read first time and referred to Committee on Judiciary . . . . .	190
Reported back and indefinitely postponed . . . . .	346

**No. 228. Introduced by SENATOR SELF—**

"A bill for an act to amend section 39 of an act entitled an act to amend an act entitled an act to provide for a general system of common schools, etc."	
Read first time and referred to Committee on Education . . . . .	190
Reported back and indefinitely postponed . . . . .	300

## No. 229. Introduced by SENATOR STUART—

"A bill for an act to enable attorneys at law to secure and collect fees in certain cases, etc."	Page.
Read first time and referred to Committee on Organization of Courts . . . . .	191
Substitute bill reported . . . . .	481
Read second time and ordered engrossed . . . . .	639
Read third time and passed . . . . .	721

## No. 230. Introduced by SENATOR CRUMPACKER—

"A bill for an act to amend section 529 of an act entitled an act concerning proceedings in civil cases, approved April 7, 1881, etc."	
Read first time and referred to Committee on Judiciary . . . . .	197
Reported back . . . . .	1075

## No. 231. Introduced by SENATOR CRUMPACKER—

"A bill for an act to amend section one of an act entitled an act concerning the purchase of toll roads etc."	
Read first time and referred to Committee on Roads . . . . .	191
Reported back . . . . .	342
Read second time and ordered engrossed . . . . .	639

## No. 232. Introduced by SENATOR WRAY—

"A bill for an act to amend section 1 of an act entitled an act concerning the organization and perpetuity of voluntary associations, etc."	
Read first time and referred to Committee on Judiciary . . . . .	196
Reported back . . . . .	252
Recommitted to Committee on Judiciary . . . . .	264
Substitute bill reported by committee . . . . .	291

## No. 233. Introduced by SENATOR WRAY—

"A bill for an act to encourage agriculture and horticulture and agricultural and horticultural fairs by the purchase of real estate for such purposes."	
Read first time and referred to Committee on Agriculture . . . . .	196
Reported back . . . . .	256
Read second time and ordered engrossed . . . . .	308
Read third time and passed . . . . .	434

## No. 234. Introduced by SENATOR HOLLER—

"A bill for an act to amend an act to amend section 1 of an act to amend section 3 of an act entitled an act to repeal all general laws now in force for the incorporation of cities, etc."	
Read first time and referred to Committee on Cities and Towns . . . . .	196

## No. 235. Introduced by SENATOR LaFOLLETTE—

"A bill for an act to divide the State of Indiana into Congressional districts"	
Read first time and referred to Committee on Apportionment . . . . .	261

## No. 236. Introduced by SENATOR BOYD—

"A bill for an act to amend sections 173 and 176 of an act concerning crimes against public policy, etc."	
Read first time and referred to Committee on Judiciary . . . . .	201
Reported back . . . . .	1075

**No. 237. Introduced by SENATOR VAIL—**

"A bill for an act creating and defining the 33d, 34th and 54th judicial circuits of the State of Indiana, etc."		Page.
Read first time and referred to Committee on Organization of Courts . . . . .		202
Reported back and indefinitely postponed . . . . .		453

**No. 238. Introduced by SENATOR NEWBY—**

"A bill for an act providing for changes of venue from Justices of the Peace in certain cases."		
Read first time and referred to Committee on Judiciary . . . . .		102
Reported back . . . . .		214
Read second time and ordered engrossed . . . . .		244
Read third time and passed . . . . .		314
Returned from House with amendments . . . . .	940, 941	
House amendments concurred in . . . . .		968
Reported by Committee on Enrolled Bills . . . . .		965
Signed by President . . . . .		965
Signed by Governor . . . . .		1013

**No. 239. Introduced by SENATOR NEWBY (by request)—**

"A bill for an act to amend section 56 of an act concerning procedures in criminal cases, and declaring an emergency."		
Read first time and referred to Committee on Judiciary . . . . .		205
Reported back . . . . .		1075

**No. 240. Introduced by SENATOR BOORD—**

"A bill for an act to appropriate money for the payment of the claim of Mrs. Sarah May against the State of Indiana, and declaring an emergency."		
Read first time and referred to Committee on Judiciary . . . . .		207
Reported back and indefinitely postponed . . . . .		759

**No. 241. Introduced by SENATOR McLEAN—**

"A bill for an act to amend an act entitled an act for the protection of discharged employes, and to prevent blacklisting, approved March 9, 1889."		
Read first time and referred to Committee on Rights and Privileges . . . . .		207
Reported back and indefinitely postponed . . . . .		461

**No. 242. Introduced by SENATOR BECK—**

"A bill for an act amending section 1 of an act approved March 9, 1889, concerning mechanics' liens, and declaring an emergency."		
Read first time and referred to Committee on Agriculture . . . . .		208
Reported back . . . . .		257
Read second time and ordered engrossed . . . . .		321
Read third time and passed . . . . .		394

**No. 243. Introduced by SENATOR BOYD—**

"A bill for an act providing for a name for each of the insane asylums of the State, providing for the government of such institutions, etc."		
Read first time and referred to Committee on Benevolent Institutions . . . . .		208
Reported back and ordered printed . . . . .		388

**No. 244. Introduced by SENATOR BAKER—**

"A bill for an act to prevent the pollution of lakes, ponds and streams of water in the State of Indiana, etc."		
Read first time and referred to Committee on Public Health . . . . .		209
Reported back . . . . .		601
Read second time, amended and ordered engrossed . . . . .		706
Read third time and recommitted . . . . .		783
Reported back with amendments . . . . .		814
Read third time and failed to pass . . . . .		814

## No. 245. Introduced by SENATOR McDONALD—

"A bill for an act for the better securing of wages to workingmen and laborers in the State of Indiana, etc."	Page.
Read first time and referred to Committee on Corporations . . . . .	209
Reported back with substitute . . . . .	773

## No. 246. Introduced by SENATOR NEWBY (by request)—

"A bill for an act to amend sections 3 and 12 of an act entitled an act for the incorporation of building, loan fund and savings associations, etc."	
Read first time and referred to Committee on Judiciary . . . . .	209
Substitute bill reported and ordered printed . . . . .	339
Reported back with amendments, and recommitted to the author . . . . .	533
Substitute offered . . . . .	534
Amendments offered . . . . .	536, 547
Made special order . . . . .	536
Recommitted to Committee on Corporations . . . . .	548

## No. 247. Introduced by SENATOR SELF—

"A bill for an act to amend section 1 of an act entitled an act providing notice of the pendency and hearing of petitions of executors and administrators for the sale of real estate, etc."	
Read first time and referred to Committee on Judiciary . . . . .	209
Reported back and indefinitely postponed . . . . .	265

## No. 248. Introduced by SENATOR SELLER—

"A bill for an act to amend section 1 of an act entitled an act to regulate the sale of patent rights, etc."	
Read first time and referred to Committee on Judiciary . . . . .	210
Reported back and indefinitely postponed . . . . .	444

## No. 249. Introduced by SENATOR SELLER—

"A bill for an act to amend section 1 of the act of March 9, 1889, providing for the bidding in and sale of lands mortgaged to secure school loans for title in full."	
Read first time and referred to Committee on County and Township Business . . . . .	210
Reported back with amendment . . . . .	377
Read second time and ordered engrossed . . . . .	496
Read third time and referred to the author . . . . .	577
Passed . . . . .	593

## No. 250. Introduced by SENATOR SHIVELEY—

"A bill for an act authorizing Township Trustees to levy a tax for the increase and maintenance of libraries, etc."	
Read first time and referred to Committee on Judiciary . . . . .	210
Reported back . . . . .	442
Read second time and ordered engrossed . . . . .	539
Read third time and passed . . . . .	577
Returned from House . . . . .	1034
Reported by Committee on Enrolled Bills . . . . .	1050
Signed by President . . . . .	1050
Signed by Governor . . . . .	1101

## No. 251. Introduced by SENATOR GIFFORD—

"A bill for an act concerning the education of children, fixing the time during which such children shall attend school, etc."	
Read first time and referred to Committee on Education . . . . .	211
Reported back and ordered printed . . . . .	447
Read second time and ordered engrossed . . . . .	640
Read third time and passed . . . . .	742

**No. 252. Introduced by SENATOR BOYD—**

"A bill for an act to amend section 4 of an act entitled an act to amend sections 39, 42, 44 and 54 of an act for the incorporation of insurance companies, etc."	Page.
Read first time and referred to Committee on Insurance . . . . .	211
Reported back . . . . .	359
Read second time and ordered engrossed . . . . .	500
Read third time and passed . . . . .	578
Returned from House . . . . .	790
Report of Committee on Enrolled Bills . . . . .	785
Signed by President . . . . .	785
Signed by Governor . . . . .	822

**No. 253. Introduced by SENATOR BOYD—**

"A bill for an act making appropriations for additional compensation to Joseph P. Pope for extra services as Quartermaster-General of the State, and declaring an emergency."	
Read first time and referred to Committee on Claims . . . . .	211

**No. 254. Introduced by SENATOR WISHARD—**

"A bill for an act to legalize the records and acts of the Common Council of the city of Lebanon, Boone County, Indiana, etc."	
Read first time and referred to Committee on Cities and Towns . . . . .	212
Constitutional rule suspended . . . . .	229
Read third time and passed . . . . .	229
Returned from House . . . . .	238
Reported by Committee on Enrolled Bills . . . . .	580
Signed by President . . . . .	580
Signed by Governor . . . . .	742

**No. 255. Introduced by SENATOR WISHARD—**

"A bill for an act to amend section 236 of an act entitled an act concerning taxation, etc."	
Read first time and referred to Committee on County and Township Business .	212
Reported back and indefinitely postponed . . . . .	466

**No. 256. Introduced by SENATOR KERN—**

"A bill for an act regulating the business of insurance in this State carried on by non-residents, etc."	
Read first time and referred to Committee on Insurance . . . . .	219
Reported back . . . . .	359
Read second time and ordered engrossed . . . . .	497
Read third time and passed . . . . .	583

**No. 257. Introduced by SENATOR VAIL—**

"A bill for an act providing for the taxation of witness fees in cases of misdemeanors, etc."	
Read first time and referred to Committee on Judiciary . . . . .	219
Reported back . . . . .	266
Read second time and ordered engrossed . . . . .	511

**No. 258. Introduced by SENATOR BOYD—**

"A bill for an act entitled an act to regulate sleeping car service on passenger trains within the State of Indiana, and to define the charges for such services."	
Read first time and referred to Committee on Corporations . . . . .	224

**No. 259. Introduced by SENATOR PHARES—**

"A bill for an act to amend sections 3, 4, 5, 9, 15 and 26 of an act entitled an act concerning drainage under specified conditions, and declaring an emergency, approved March 7, 1891."	
Read first time and referred to Committee on Swamp Lands and Drains . . .	224

## No. 260. Introduced by SENATOR PHARES—

"A bill for an act to amend section 1 of an act to amend section 114 of an act entitled an act to provide for a general system of common schools, etc."	Page.
Read first time and referred to Committee on Education . . . . .	224
Reported back and indefinitely postponed . . . . .	821

## No. 261. Introduced by SENATOR SWEENEY—

"A bill for an act regulating the liabilities of common carriers in the transportation of passengers and property, etc."	
Read first time and referred to Committee on Judiciary . . . . .	225
Reported back, majority and minority reports, and ordered printed . . . . .	347

## No. 262. Introduced by SENATOR WISHARD—

"A bill for an act entitled an act for the encouragement of agriculture, making an annual appropriation to the Indiana State Board of Agriculture for the payment of premiums, and declaring an emergency."	
Read first time and referred to Committee on Agriculture . . . . .	225
Reported back . . . . .	343
Read second time and ordered engrossed . . . . .	383
Read third time and passed . . . . .	404
Returned from House . . . . .	895
Reported by Committee on Enrolled Bills . . . . .	912
Signed by President . . . . .	912
Signed by Governor . . . . .	959

## No. 263. Introduced by SENATOR BOYD—

"A bill for an act to provide for the erection of monuments and tablets to mark the positions of Indiana troops on the battlefield of Chickamauga, and declaring an emergency."	
Read first time and referred to Committee on Military Affairs . . . . .	225
Reported back with amendments . . . . .	571

## No. 264. Introduced by SENATOR DUNCAN—

"A bill for an act to provide for the benefit of the Indiana University, Purdue University and the Indiana State Normal School, and declaring an emergency."	
Read first time and referred to Committee on Education . . . . .	231
Reported back . . . . .	418
House Bill No. 384 substituted. . . . .	821
Reported back . . . . .	1074

## No. 265. Introduced by SENATOR DUNCAN—

"A bill for an act entitled an act to amend section 422 of an act concerning proceedings in civil cases, etc."	
Read first time and referred to Committee on Organization of Courts . . . . .	231
Reported back . . . . .	453
Read second time, amended and ordered engrossed . . . . .	519
Read third time and passed . . . . .	579

## No. 266. Introduced by SENATOR ELLISON—

"A bill for an act to amend sections 78 and 79 of an act entitled an act concerning the incorporation, government of cities having more than thirty-five thousand (35,000) and less than forty-nine thousand (49,000) population, etc."	
Read first time and referred to Committee on Cities and Towns . . . . .	231
Reported back . . . . .	477
Read second time and ordered engrossed . . . . .	701
Read third time and passed . . . . .	802
Returned from House . . . . .	1059
Signed by President . . . . .	1059
Signed by Governor . . . . .	1101



## 267. Introduced by SENATOR HAGGARD—

A bill for an act entitled an act to amend section 1 of an act entitled an act to amend section 1 of an act entitled an act to amend section 1 of an act entitled an act concerning the organization and perpetuity of voluntary associations, etc."	Page.
Read first time and referred to Committee on Benevolent Institutions . . . .	231
Reported back . . . . .	456
Read second time, amended and ordered engrossed . . . . .	640
Amended . . . . .	705

## 268. Introduced by SENATOR HOLLER—

A bill for an act to prevent and punish the adulteration or mixing of meats, and regulating the sale thereof when adulterated or mixed."	
Read first time and referred to Committee on Agriculture . . . . .	232
Reported back . . . . .	296
Read second time and ordered engrossed . . . . .	378
Read third time and passed . . . . .	582

## 269. Introduced by SENATOR HOUGHTON—

A bill for an act authorizing townships and counties in this State to construct and repair, or aid in the construction and repairing, of bridges, etc."	
Read first time and referred to Committee on County and Township Business	232
Reported back . . . . .	375
Read second time, amended and ordered engrossed . . . . .	496
Read third time and passed . . . . .	747
Returned from House . . . . .	943
Reported by Committee on Enrolled Bills . . . . .	974
Signed by President . . . . .	974
Signed by Governor . . . . .	1013

## 270. Introduced by SENATOR MULL—

A bill for an act regulating the stopping of passenger trains on railroads running passenger trains within the State of Indiana, prescribing a penalty for the violation thereof, and declaring an emergency."	
Read first time and referred to Committee on Railroads . . . . .	232

## 271. Introduced by SENATOR PARKER—

A bill for an act supplemental to an act approved March 9, 1891, relating to partition fences and trespassing animals, and declaring an emergency."	
Read first time and referred to Committee on Agriculture . . . . .	233
Reported back . . . . .	456

## 272. Introduced by SENATOR BETHEL—

A bill for an act to regulate the purchase of blank books, blanks and stationery, etc."	
Read first time and referred to Committee on County and Township Business	245

## 273. Introduced by SENATOR BETHEL—

A bill for an act entitled an act to promote the science of medicine and surgery by providing methods whereby human subjects for anatomical and scientific dissection and experiment may be lawfully obtained, etc."	
Read first time and referred to Committee on Public Health . . . . .	245
Reported back . . . . .	601
Read second time, amended and ordered engrossed . . . . .	702
Referred back to committee . . . . .	719
Reported back . . . . .	819

## No. 274. Introduced by SENATOR KERN—

"A bill for an act to abolish days of grace."	Page.
Read first time and referred to Committee on Judiciary . . . . .	246
Reported back . . . . .	346

## No. 275. Introduced by SENATOR KERN—

"A bill for an act to amend section 2071 of the Revised Statutes of 1881, which regulates the sale of milk, and declaring an emergency."	
Read first time and referred to Committee on Public Health . . . . .	246

## No. 276. Introduced by SENATOR LAFOLLETTE—

"A bill for an act to amend section 5 of an act entitled an act concerning grand and petit juries, etc."	
Read first time and referred to Committee on Judiciary . . . . .	243
Reported back . . . . .	329
Read second time and ordered engrossed . . . . .	382
Read third time and passed . . . . .	492
Returned from House . . . . .	1014
Reported by Committee on Enrolled Bills . . . . .	1012
Signed by President . . . . .	1013
Signed by the Governor . . . . .	1056

## No. 277. Introduced by SENATOR PARKER—

"A bill for an act to amend section 2 of an act entitled an act to authorize Township Trustees of incorporated towns and the Common Councils of cities to levy a tax for school purposes, and declaring an emergency."	
Read first time and referred to Committee on Cities and Towns . . . . .	246

## No. 278. Introduced by SENATOR PARKER—

"A bill for an act to amend section 1 of an act entitled an act to amend section 114 of an act entitled an act to provide for a general system of common schools, etc."	
Read first time and referred to Committee on Judiciary . . . . .	247
Reported back . . . . .	1075

## No. 279. Introduced by SENATOR SELLER—

"A bill for an act for the better regulating of proceedings in the matters of receivers, assignees and trustees of express trusts."	
Read first time and referred to Committee on Judiciary . . . . .	247
Reported back . . . . .	758

## No. 280. Introduced by SENATOR WATSON—

"A bill for an act entitled an act to amend section 206 of an act entitled an act concerning continuances in criminal cases."	
Read first time and referred to Committee on Judiciary . . . . .	254
Reported back and indefinitely postponed . . . . .	334

## No. 281. Introduced by SENATOR HOLLER—

"A bill for an act to provide for the removal of obstructions, straightening and otherwise improving the Kankakee River, etc."	
Read first time and referred to Committee on Swamp Lands and Drainage . .	254

## No. 282. Introduced by SENATOR WISHARD—

"A bill for an act to amend an act entitled an act to incorporate the Western Mutual Life Insurance and Trust Company, approved February 15, 1839, and declaring an emergency."	
Read first time and referred to Committee on Insurance . . . . .	258
Reported back . . . . .	571
Reported back with amendments and ordered printed . . . . .	615

## No. 283. Introduced by SENATOR SHIVELEY—

"A bill for an act to provide for a revision of the statute laws of the State of Indiana in relation to municipal corporations, etc."		Page.
Read first time and referred to Committee on Judiciary . . . . .		259
Withdrawn from Senate by author . . . . .		494

## No. 284. Introduced by SENATOR HUMPHREYS—

"A bill for an act making an appropriation for the purposes of encouraging and promoting the study of agriculture through county institutes, and declaring an emergency."		
Read first time and referred to Committee on County and Township Business . . . . .		260
Reported back . . . . .		465
Read second time and ordered engrossed . . . . .		532
Read third time and passed . . . . .		748

## No. 285. Introduced by SENATOR HUMPHREYS—

"A bill for an act declaring certain roads public highways, and declaring an emergency."		
Read first time and referred to Committee on Roads . . . . .		280
Reported back with amendments . . . . .		342
Read second time and ordered engrossed . . . . .		378
Read third time and passed . . . . .		400

## No. 286. Introduced by SENATOR SELLER—

"A bill for an act to amend section 180, being section 2094, R. S. 1881, and section 2190, R. S. 1894, of an act."		
Read first time and referred to Committee on Judiciary . . . . .		260
Withdrawn from Committee on Corporations and referred to Committee on Cities and Towns . . . . .		519
Reported back and indefinitely postponed . . . . .		603

## No. 287. Introduced by SENATOR SCHNECK—

"A bill for the regulation of compensation for legal advertisements in county and township business."		
Read first time and referred to Committee on County and Township Business . . . . .		260
Reported back and indefinitely postponed . . . . .		375

## No. 288. Introduced by SENATOR SELLER—

"A bill for an act defining a misdemeanor and fixing a punishment for the violation thereof."		
Read first time and referred to Committee on Judiciary . . . . .		260
Reported back . . . . .		604
Read second time and ordered engrossed . . . . .		700
Read third time and passed . . . . .		847

## No. 289. Introduced by SENATOR PARKER—

"A bill for an act supplemental to the act entitled an act concerning proceedings in civil cases, etc."		
Read first time and referred to Committee on Judiciary . . . . .		281
Reported back . . . . .		329
Read second time and ordered engrossed . . . . .		532
Read third time and referred to the author . . . . .		538
Read third time and passed . . . . .		591

## No. 290. Introduced by SENATOR CRANOR (by request)—

"A bill for an act for the protection of owners and keepers of hotels, inns, restaurants, boarding and eating houses, etc."	Page.
Read first time and referred to Committee on Rights and Privileges . . . . .	262
Reported back . . . . .	463
Read second time and ordered engrossed . . . . .	570
Read third time and passed . . . . .	728

## No. 291. Introduced by SENATOR DUNCAN—

"A bill for an act for the appointment of a Superintendent of the State Capitol and grounds, etc."	
Read first time and referred to Committee on Public Buildings . . . . .	263

## No. 292. Introduced by SENATOR HAGGARD—

"A bill for an act to amend sections 1 and 2 of an act entitled an act fixing the number of the trustees of the Purdue University, etc."	
Read first time and referred to Committee on Education . . . . .	263
Reported back with amendments . . . . .	334
Read second time and ordered engrossed . . . . .	640
Read third time, amended and passed . . . . .	745
Returned from House . . . . .	926
Signed by President . . . . .	942
Reported by Committee on Enrolled Bills . . . . .	942
Signed by Governor . . . . .	1013

## No. 293. Introduced by SENATOR MULL—

"A bill for an act to amend an act entitled an act providing for notice of the pendency and hearing of petitions by executors and administrators, etc."	
Read first time and referred to Committee on Judiciary . . . . .	263
Reported back . . . . .	348
Read second time and ordered engrossed . . . . .	496
Read third time and passed . . . . .	590

## No. 294. Introduced by SENATOR O'BRIEN—

"A bill for an act to provide for the periodical enumeration of the male inhabitants of this State over the age of twenty-one years, etc."	
Read first time and referred to Committee on Legislative Apportionment . .	263
Reported back . . . . .	656

## No. 295. Introduced by SENATOR O'BRIEN—

"A bill for an act to make it a misdemeanor for any one person to obstruct a ditch or drain, etc."	
Read first time and referred to Committee on Judiciary . . . . .	264
Reported back . . . . .	445
Read second time and ordered engrossed . . . . .	539

## No. 296. Introduced by SENATOR PHARES—

"A bill for an act constituting the Board of Commissioners of any county in this State a Board of Turnpike Directors."	
Read first time and referred to Committee on Roads . . . . .	264
Reported back and indefinitely postponed . . . . .	342

## No. 297. Introduced by SENATOR HOLLER—

"A bill for an act for the protection of fish."	
Read first time and referred to Committee on Agriculture . . . . .	264
Reported back . . . . .	300
Read second time and ordered engrossed . . . . .	578
Read third time and passed . . . . .	582
Returned from House . . . . .	1034
Reported by Committee on Enrolled Bills . . . . .	1050
Signed by President . . . . .	1050
Signed by Governor . . . . .	1056

## No. 298. Introduced by SENATOR McLEAN—

"A bill for an act to amend section 114 of an act fixing the compensation and prescribing the duties of certain State and county officers, etc."	Page.
Read first time and referred to Committee on Fees and Salaries. . . . .	270

## No. 299. Introduced by SENATOR JOHNSTON—

"A bill for an act to amend section 4 of an act entitled an act concerning husband and wife, etc."	
Read first time and referred to Committee on Judiciary . . . . .	270
Reported back and indefinitely postponed . . . . .	445

## No. 300. Introduced by SENATOR MULL (by request)—

"A bill for an act to amend sections 1 and 2 of an act to encourage the study of agriculture, etc."	
Read first time and referred to Committee on Agriculture. . . . .	270

## No. 301. Introduced by SENATOR KERN—

"A bill for an act to amend section 399 and to repeal sections 400 and 401 of an act entitled an act concerning proceedings in civil cases, etc."	
Read first time and referred to Committee on Affairs of the City of Indianapolis. . . . .	272
Reported back and indefinitely postponed . . . . .	363

## No. 302. Introduced by SENATOR SELF—

"A bill for an act to legalize the incorporation of the town of Leavenworth, in Crawford County, Indiana, etc."	
Read first time and referred to Committee on Cities and Towns . . . . .	272
Reported back . . . . .	364
Read second time and ordered engrossed . . . . .	496
Read third time and passed . . . . .	576
Reported by Committee on Enrolled Bills . . . . .	1099
Signed by President . . . . .	1099
Returned from House . . . . .	1105

## No. 303. Introduced by SENATOR SELLER—

"A bill for an act entitled an act regulating the subject of horse racing, etc."	
Read first time and referred to Committee on Agriculture. . . . .	273
Reported back . . . . .	547
Message from the Governor . . . . .	705
Made special order. . . . .	789
Read second time . . . . .	787
Amendments offered. . . . .	788
Constitutional rules suspended, read third time and passed . . . . .	789
Returned from House . . . . .	818
Signed by President . . . . .	815
Reported by Committee on Enrolled Bills . . . . .	845
Special committee on investigation appointed . . . . .	850
Signed by Governor . . . . .	874
Report of investigation committee . . . . .	965

## No. 304. Introduced by SENATOR SELLER—

"A bill for an act to amend section 276 of an act entitled an act concerning proceedings in civil cases, approved April 7, 1881, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	273
Reported back . . . . .	762
Returned from House . . . . .	380

## No. 305. Introduced by SENATOR BOYD—

"A bill for an act to amend section 2 of an act entitled an act to enable incorporated towns to lay out, open, grade and improve streets and alleys, etc."	Page.
Read first time and referred to Committee on Judiciary . . . . .	283
Reported back . . . . .	345

## No. 306. Introduced by SENATOR McCUTCHAN—

"A bill for an act defining the First and Eleventh Judicial Circuits, etc."	
Read first time and referred to Committee on Organisation of Courts . . . .	283
Reported back and indefinitely postponed . . . . .	454

## No. 307. Introduced by SENATOR CRANOR—

"A bill for an act concerning cities and towns of less than 35,000 inhabitants and the manner of collecting assessments by such cities and towns, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	283
Reported back . . . . .	345
Read second time and ordered engrossed . . . . .	378
Read third time and passed . . . . .	397
Returned by House . . . . .	1035
Reported by Committee on Enrolled Bills . . . . .	1050
Signed by President . . . . .	1050

## No. 308. Introduced by SENATOR PARKER—

"A bill for an act relative to bonds and other obligations, surety or sureties, etc."	
Read first time and referred to Committee on Insurance . . . . .	285
Reported back with amendments . . . . .	473
Read second time and ordered engrossed . . . . .	533
Read third time and passed . . . . .	577

## No. 309. Introduced by SENATOR BARNES—

"A bill for an act to amend section 9 of an act entitled an act to amend sections 2, 15, 19, 23, 26, 29, 34, 44, 45, 46, 47, 52 and 65 of an act entitled an act concerning elections, etc."	
Read first time and referred to Committee on Judiciary . . . . .	286
Reported back and recommitted . . . . .	446

## No. 310. Introduced by SENATOR McLEAN—

"A bill for an act to amend section 1 of an act to permit the formation of drainage districts, etc."	
Read first time and referred to Committee on Swamp Lands and Drains . . .	287
Reported back . . . . .	764

## No. 311. Introduced by SENATOR NEWBY—

"A bill for an act requiring, in common schools and certain educational institutions, the teaching of the effects of alcoholic drinks and narcotics on the human system."	
Read first time and referred to Committee on Temperance . . . . .	288
Minority report adopted . . . . .	449
Read second time and ordered engrossed . . . . .	639
Substituted for House Bill No. 163 in Senate . . . . .	646
Read third time and passed . . . . .	746
Returned from House with amendments . . . . .	910
Recalled by House . . . . .	961
Returned from House . . . . .	992, 1014
Reported by Committee on Enrolled Bills . . . . .	1012
Signed by the President . . . . .	1013

**No. 312. Introduced by SENATOR O'BRIEN—**

"A bill for an act supplemental to an act on the subject of lawful fences, partition fences, etc."	Page.
Read first time and referred to Committee on County and Township Business	288
Reported back . . . . .	467
Read second time and ordered engrossed . . . . .	696
Read third time and passed . . . . .	812

**No. 313. Introduced by SENATOR PARKER—**

"A bill for an act to amend section 258 of an act concerning proceedings in civil cases, etc."	
Read first time and referred to Committee on Judiciary . . . . .	288
Reported back . . . . .	443
Read second time, amended and ordered engrossed . . . . .	554
Read third time and passed . . . . .	592
Signed by the Governor . . . . .	1051

**No. 314. Introduced by SENATOR SELF—**

"A bill for an act to amend section 152 of an act entitled an act concerning taxation, and repealing all laws in conflict therewith, and declaring an emergency, approved March 6, 1891."	
Read first time and referred to Committee on County and Township Business	289
Reported back and indefinitely postponed . . . . .	376

**No. 315. Introduced by SENATOR SELF—**

"A bill for an act authorizing political parties to have witnesses or watchers to the count of ballots, etc."	
Read first time and referred to Committee on Elections . . . . .	299

**No. 316. Introduced by SENATOR SELLER—**

"A bill for an act appropriating money in payment of the claim of Andrew M. Sweeney for copying order books one, six and thirteen of the Supreme Court of the State."	
Read first time and referred to Committee on Claims . . . . .	289
Reported back . . . . .	822

**No. 317. Introduced by SENATOR VAIL—**

"A bill for an act to provide for indemnifying parties whose property may be destroyed in consequence of mobs and riots."	
Read first time and referred to Committee on Judiciary . . . . .	290

**No. 318. Introduced by SENATOR VAIL—**

"A bill for an act providing for issuance and sale of bonds for the purpose of purchasing grounds and the erection of buildings for school purposes, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	290
Reported back . . . . .	334
Read third time and passed . . . . .	435

**No. 319. Introduced by SENATOR VAIL—**

"A bill for an act concerning the cutting down and destroying of briars, thistles, burrs, docks and other noxious weeds by owners of land along public highways."	
Read first time and referred to Committee on Agriculture . . . . .	290
Reported back and indefinitely postponed . . . . .	374

## No. 320. Introduced by SENATOR McDONALD—

"A bill for an act providing for the election of all Judges of courts of general and appellate jurisdiction, etc."	Page.
Read first time and referred to Committee on Judiciary . . . . .	302
Reported back and indefinitely postponed . . . . .	609

## No. 321. Introduced by SENATOR PARKER—

"A bill for an act authorizing the Governor of the State, in his own name, to issue temporary restraining orders, etc., and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	309
Reported back . . . . .	759

## No. 322. Introduced by SENATOR PARKER—

"A bill for an act providing who may act as a detective or spy, and under what conditions and in what territory, etc."	
Read first time and referred to Committee on Judiciary . . . . .	309
Reported back . . . . .	367
Read second time and ordered engrossed . . . . .	539
Read third time and passed . . . . .	567

## No. 323. Introduced by SENATOR HOUGHTON—

"A bill for an act providing for the construction of free gravel, stone or other macadamized roads, and providing for their location, etc., and declaring an emergency."	
Read first time and referred to Committee on Roads . . . . .	310
Reported back . . . . .	1088

## No. 324. Introduced by SENATOR COLLETT—

"A bill for an act to amend section 1 of an act approved March 6, 1891, entitled an act to amend section 1 and section 15 of an act providing for voluntary assignments, etc., and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	310

## No. 325. Introduced by SENATOR BAKER—

"A bill for an act concerning street railroad companies, constructing interurban and suburban street railroads, etc., and declaring an emergency."	
Read first time and referred to Committee on Cities and Towns . . . . .	311
Reported back . . . . .	364
Read second time, amended and ordered engrossed . . . . .	496
Read third time and referred back to author . . . . .	562

## No. 326. Introduced by SENATOR BOYD—

"A bill for an act to amend an act entitled an act to amend sections 15 and 16 of an act concerning enclosures, trespassing animals and partition fences, etc., and declaring an emergency."	
Read first time and referred to Committee on Agriculture . . . . .	312
Reported back and indefinitely postponed . . . . .	374

## No. 327. Introduced by SENATOR MCCORD—

"A bill for an act to establish a State Library Board, providing for the administration of the State Library and the election of State Librarian, etc., and declaring an emergency."	
Read first time and referred to Committee on Public Library . . . . .	317
Reported back with amendments . . . . .	459
Read second time and ordered engrossed . . . . .	533
Read third time and passed . . . . .	566
Returned by House . . . . .	965
Reported by Committee on Enrolled Bills . . . . .	974
Signed by President . . . . .	974
Signed by Governor . . . . .	1051



**No. 328. Introduced by SENATOR McCUTCHAN—**

"A bill for an act to amend section 1 of an act entitled an act concerning voluntary associations for the purpose of insuring farm property, etc."	Page.
Read first time and referred to Committee on Judiciary . . . . .	320
Reported back and recommitted . . . . .	444
Reported back . . . . .	613

**No. 329. Introduced by SENATOR GIFFORD—**

"A bill for an act amending section 7 of an act entitled an act regulating the granting of divorces, etc."	
Read first time and referred to Committee on Judiciary . . . . .	322
Reported back and indefinitely postponed . . . . .	607

**No. 330. Introduced by SENATOR LAFOLLETTE—**

"A bill for an act to give manufacturers and vendors of drain tile a lien on lands improved thereby, etc."	
Read first time and referred to Committee on Judiciary . . . . .	322
Reported back . . . . .	443
Read second time and ordered engrossed . . . . .	501
Read third time and passed . . . . .	581

**No. 331. Introduced by SENATOR McLEAN—**

"A bill for an act to amend section 2 of an act entitled an act for the protection of discharged employes, and to prevent black-listing, etc."	
Read first time and referred to Committee on Rights and Privileges . . . . .	323
Reported back . . . . .	463
Read second time and ordered engrossed . . . . .	640
Read third time and passed . . . . .	603
Returned from House . . . . .	1014
Reported by Committee on Enrolled Bills . . . . .	1012
Signed by President . . . . .	1013
Signed by Governor . . . . .	1061

**No. 332. Introduced by SENATOR O'BRIEN—**

"A bill for an act to amend section 3 of an act to regulate and license the sale of spirituous, vinous and malt and other intoxicating liquors, etc."	
Read first time and referred to Committee on Temperance . . . . .	324

**No. 333. Introduced by SENATOR PARKER—**

"A bill for an act to provide for the appointment of commissioners for the promotion of uniformity of legislation in the United States, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	324
Reported back, with majority and minority reports, and ordered printed. . .	644

**No. 334. Introduced by SENATOR DUNCAN—**

"A bill for an act concerning licenses, fixing fees therefor, providing for the collection and application thereof, etc."	
Read first time and referred to Committee on Agriculture . . . . .	324

**No. 335. Introduced by SENATOR PHARES—**

"A bill for an act providing for the trimming and cutting of hedge or live partition fences, and providing for its enforcement."	
Read first time and referred to Committee on Agriculture . . . . .	324
Reported back . . . . .	444
Read second time and ordered engrossed . . . . .	501

## No. 336. Introduced by SENATOR PHARES—

"A bill for an act prescribing the duties of manufacturers and venders of patent medicines and providing a penalty for its violation."	Page.
Read first time and referred to Committee on Judiciary . . . . .	325
Reported back . . . . .	761

## No. 337. Introduced by SENATOR WRAY—

"A bill for an act to amend sections 2, 3 and 5 of an act defining who are persons of unsound mind, etc."	
Read first time and referred to Committee on Judiciary . . . . .	325
Reported back . . . . .	445
Read second time and ordered engrossed . . . . .	500
Read third time and passed . . . . .	587
Returned from House . . . . .	1014
Reported by Committee on Enrolled Bills . . . . .	1012
Signed by President . . . . .	1013
Signed by Governor . . . . .	1051

## No. 338. Introduced by SENATOR McDONALD—

"A bill for an act to amend sections 46 and 61 of an act entitled an act concerning proceedings in criminal cases, etc."	
Read first time and referred to Committee on Judiciary . . . . .	325
Reported back . . . . .	604
Read second time and ordered engrossed . . . . .	697
Read third time and passed . . . . .	800
Returned from House . . . . .	1034
House amendment concurred in by Senate . . . . .	1039
Reported by Committee on Enrolled Bills . . . . .	1050
Signed by President . . . . .	1050
Signed by Governor . . . . .	1101

## No. 339. Introduced by SENATOR McDONALD—

"A bill for an act to amend section 1 of an act entitled an act concerning public offenses and their punishment, etc."	
Read first time and referred to Committee on Judiciary . . . . .	326
Reported back . . . . .	442
Read second time, substitute bill offered and ordered engrossed . . . . .	540
Read third time and failed to pass . . . . .	801

## No. 340. Introduced by SENATOR McDONALD—

"A bill for an act to amend section 213 and to repeal section 212 of an act entitled an act concerning public offenses, etc."	
Read first time and referred to Committee on Judiciary . . . . .	326
Reported back . . . . .	609
Read second time and ordered engrossed . . . . .	697
Read third time and re-committed to the author . . . . .	744

## No. 341. Introduced by SENATOR BAKER (by request)—

"A bill for an act to amend section 1 of an act entitled an act for the relief of the poor, etc."	
Read first time and referred to Committee on County and Township Business . . . . .	326
Reported back and indefinitely postponed . . . . .	647

## No. 342. Introduced by SENATOR LaFOLLETTE—

"A bill for an act to provide for the appointment of commissioners to locate the important positions occupied by Indiana soldiers in and during the battles of Chickamauga, Lookout Mountain and Missionary Ridge, etc."	
Read first time and referred to Committee on Military Affairs . . . . .	326

**No. 343. Introduced by SENATOR McCORD—**

"A bill for an act entitled an act concerning State banks, savings banks, private banks, trust companies, etc."	Page.
Read first time and referred to Committee on Corporations . . . . .	328

**No. 344. Introduced by SENATOR SELLER—**

"A bill for an act providing for a right of, and a method for, testing the validity of statutes and ordinances enacted and ordained in the State, and other matters connected therewith."	
Read first time and referred to Committee on Judiciary . . . . .	343
Reported back with amendment . . . . .	604
Read second time and ordered engrossed . . . . .	640
Read third time and failed to pass . . . . .	719

**No. 345. Introduced by SENATOR O'BRIEN—**

"A bill for an act fixing the compensation and prescribing the duties of certain State and county officers, and providing penalties for the violation of its provisions."	
Read first time and referred to Committee on Fees and Salaries . . . . .	344

**No. 346. Introduced by SENATOR CRUMPACKER—**

"A bill for an act legalizing plats of additions to cities and towns, and of subdivisions of sections, and declaring an emergency."	
Read first time and referred to Committee on County and Township Business . . . . .	344
Reported back . . . . .	466
Read second time and ordered engrossed . . . . .	639
Read third time and passed . . . . .	820
Reported by Committee on Enrolled Acts . . . . .	1099
Signed by President . . . . .	1099

**No. 347. Introduced by SENATOR CRUMPACKER—**

"A bill for an act regulating the powers and duties of Township Trustees, and declaring an emergency."	
Read first time and referred to Committee on County and Township Business . . . . .	345
Reported back . . . . .	467
Read second time and ordered engrossed . . . . .	532
Read third time and passed . . . . .	730

**No. 348. Introduced by SENATOR PHARES—**

"A bill for an act to authorize the organization and incorporation of mutual insurance companies, etc."	
Read first time and referred to Committee on Insurance . . . . .	369

**No. 349. Introduced by SENATOR GIFFORD—**

"A bill for an act declaring the twelfth day of February, commonly called Lincoln's birthday, a legal holiday within this State."	
Read first time and referred to Committee on Rights and Privileges . . . . .	369
Reported back . . . . .	463
Read second time and ordered engrossed . . . . .	532
Read third time and recommitted . . . . .	743

## No. 350. Introduced by SENATOR BARNES—

"A bill for an act entitled an act prohibiting the publication or sale of pernicious literature, and providing for the punishment for the violation of the same."	Page.
Read first time and referred to Committee on Rights and Privileges . . . . .	371
Reported back . . . . .	480
Read second time and referred to author . . . . .	539
Reported back and amended . . . . .	582
Ordered engrossed . . . . .	690
Read third time and passed . . . . .	712
Reported by Committee on Enrolled Bills . . . . .	1012
Signed by President . . . . .	1013
Returned from House . . . . .	1014
Signed by Governor . . . . .	1051

## No. 351. Introduced by SENATOR CRANOR—

"A bill for an act defining certain duties, fixing the compensation of clerks of Circuit, Superior and Criminal courts, county officers, etc."	
Read first time and referred to Committee on Fees and Salaries . . . . .	372
Reported back and ordered printed . . . . .	451

## No. 352. Introduced by SENATOR GIFFORD—

"A bill for an act to legalize and render valid the records of the Circuit and Superior Courts of the various counties of the State of Indiana; also to legalize all sheriffs' sales of real estate, etc."	
Read first time and referred to Committee on Judiciary . . . . .	372
Reported back . . . . .	603
Read second time and ordered engrossed . . . . .	706
Referred to author for amendment . . . . .	742
Reported back with amendments . . . . .	780
Read third time and passed . . . . .	790
Reported by Committee on Enrolled Bills . . . . .	1012
Returned from House . . . . .	1014
Signed by President . . . . .	1013
Signed by Governor . . . . .	1051

## No. 353. Introduced by SENATOR HAGGARD—

"A bill for an act to provide for the creation of water-way from Lake Michigan to the head of navigation on the Wabash River, etc."	
Read first time and referred to Committee on Agriculture . . . . .	372
Reported back . . . . .	456
Read second time and amended . . . . .	688
Read third time and passed . . . . .	689

## No. 354. Introduced by SENATOR BOYD (by request)—

"A bill for an act to protect a person who has been injured physically and has been awarded a judgment for such injury."	
Read first time and referred to Committee on Judiciary . . . . .	372
Reported back and indefinitely postponed . . . . .	607

## No. 355. Introduced by SENATOR SELLER—

"A bill for an act concerning deeds executed upon illegal or invalid tax sales, providing for the release of the lien thereof, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	373
Reported back . . . . .	502
Read second time and ordered engrossed . . . . .	570
Read third time and passed . . . . .	721
Returned from House . . . . .	992
Reported by Committee on Enrolled Bills . . . . .	1010
Signed by President . . . . .	1010

## No. 356. Introduced by SENATOR WISHARD—

"A bill for an act entitled an act to amend section 10 of an act entitled an act to provide for the more uniform mode of doing township business."		Page.
Read first time and referred to Committee on County and Township Business		373
Reported back		497

## No. 357. Introduced by SENATOR WISHARD—

"A bill for an act to amend section 1 of an act entitled an act regulating foreign insurance companies, etc."		
Read first time and referred to Committee on Insurance		373

## No. 358. Introduced by SENATOR WRAY—

"A bill for an act to amend sections 206 and 207 of an act concerning proceedings in criminal cases, etc."		
Read first time and referred to Committee on Judiciary		373
Reported back and indefinitely postponed		607

## No. 359. Introduced by SENATOR McLEAN—

"A bill for an act concerning sewer improvements in cities having more than 30,000 and less than 35,000 population, and declaring an emergency."		
Read first time and referred to Committee on Cities and Towns		377
Reported back with amendment		478
Read second time and ordered engrossed		641
Read third time, passed and title amended.		713
Returned from House		942
Reported by Committee on Enrolled Bills		962
Signed by President		962
Signed by Governor		1013, 1014

## No. 360. Introduced by SENATOR BARNES—

"A bill for an act entitled an act to amend sections 3, 8, 12, 20, 21 and 65 in the charter of Vernon, Jennings County, Indiana."		
Read first time and referred to Committee on Cities and Towns		379
Reported back		477
Read second time and ordered engrossed		541
Read third time and passed		564
Returned from House with amended title		833, 834
Report of Committee on Enrolled Bills		851
Signed by President		851
Recalled from Governor.		859
Amendments by House concurred in		871
Signed by Governor		959

## No. 361. Introduced by SENATOR SELLER—

"A bill for an act concerning the building of free gravel roads by individuals and the duties of Boards of Commissioners in relation thereto."		
Read first time and referred to Committee on Roads.		380
Reported back		455
Read second time and ordered engrossed		540
Read third time and passed		712

## No. 362. Introduced by SENATOR BAKER—

"A bill for an act to amend section 1 of an act entitled an act concerning taxation, repealing all laws in conflict therewith, etc."		
Read first time and referred to Committee on Cities and Towns		385
Reported back		618
Read second time and ordered engrossed		706
Read third time and failed to pass		803

## No. 363. Introduced by SENATOR McCUTCHAN—

"A bill for an act fixing the punishment for the crime of embezzlement when the sum embezzled is less than twenty-five dollars, and declaring an emergency."	Page.
Read first time and referred to Committee on Judiciary. . . . .	385
Reported back . . . . .	603
Read second time, amended and ordered engrossed . . . . .	707
Read third time and passed . . . . .	793

## No. 364. Introduced by SENATOR O'BRIEN (by request)—

"A bill for an act concerning public improvements in towns and cities having a population less than thirty-five thousand, etc."	
Read first time and referred to Committee on Cities and Towns . . . . .	385
Reported back . . . . .	543
Read second time, amended and ordered engrossed . . . . .	606
Read third time, amended . . . . .	745
Title amended . . . . .	746

## No. 365. Introduced by SENATOR WISHARD—

"A bill for an act to amend section 11 of an act entitled an act concerning taxation, etc."	
Read first time and referred to Committee on Finance . . . . .	386

## No. 366. Introduced by SENATOR GIFFORD—

"A bill for an act fixing the per diem of Township Trustees, designating the funds out of which the same shall be paid, etc."	
Read first time and referred to Committee on County and Township Business . . . . .	386
Reported back with majority and minority reports . . . . .	470
Ordered printed . . . . .	471
Read second time and ordered engrossed . . . . .	706
Read third time and passed . . . . .	807

## No. 367. Introduced by SENATOR GIFFORD—

"A bill for an act entitled an act prescribing certain duties of persons, firms and corporations operating telephone exchanges, etc."	
Read first time and referred to Committee on Cities and Towns . . . . .	387

## No. 368. Introduced by SENATOR KERN—

"A bill for an act to repeal sections 3162, 3163, 3164, 3165, 3357, 3358, 3359, 3360, 3363, 3364, 3365, 3366 of the Revised Statutes of 1881, and to repeal an act entitled an act concerning contracts made by the Common Council of cities, etc."	
Read first time and referred to Committee on Cities and Towns . . . . .	388
Reported back . . . . .	476

## No. 369. Introduced by SENATOR MCCORD—

"A bill for an act to amend sections 13 and 18 of an act entitled an act to authorize and regulate the incorporation of banks, etc."	
Read first time and referred to Committee on Banks . . . . .	389
Reported back . . . . .	459
Read second time, amended and ordered engrossed . . . . .	533
Recommitted to Committee on Banks . . . . .	680
Reported back with amendments . . . . .	794
Read third time and passed . . . . .	797
Returned from House . . . . .	956
Signed by President . . . . .	974
Reported by Committee on Enrolled Bills . . . . .	974

## 60. Introduced by SENATOR LEYDEN—

bill for act to appropriate money for a monument for the tomb of A. P. Willard, ex-Governor of the State of Indiana, in the Northern Cemetery, New Albany, Indiana."

	Page.
Read first time and referred to Committee on Finance . . . . .	389
Reported back . . . . .	443
Read second time and ordered engrossed . . . . .	533
Read third time and passed . . . . .	585

## 71. Introduced by SENATOR McLEAN—

bill for an act for the relief of Theodore Price, Trustee of Riley Township; Joseph Crockett, Trustee of Sugar Creek Township; George Peters, Trustee of Pierson Township, and Robert Woods, Trustee of Nevins Township, of Vigo County, etc."

Read first time and referred to Committee on County and Township Business . . . . .	391
Reported back . . . . .	468
Read second time and ordered engrossed . . . . .	533
Read third time and passed . . . . .	713
Returned by House . . . . .	811
Reported by Committee on Enrolled Bills . . . . .	833
Signed by President . . . . .	833
Signed by Governor . . . . .	874

## 372. Introduced by SENATOR RINEAR—

A bill for an act to legalize each and every official act of the several Boards of Trustees of the incorporated town of Warren, Huntington County, etc."

Read first time and referred to Committee on Cities and Towns . . . . .	391
Reported back . . . . .	476
Read second time and ordered engrossed . . . . .	539
Read third time and passed . . . . .	781
Returned from House . . . . .	1034
Reported by Committee on Enrolled Bills . . . . .	1050
Signed by President . . . . .	1050

## 373. Introduced by SENATOR SHIVELEY—

A bill for an act to amend section 114 of an act to provide for a general system of common schools, the offices thereof, etc."

Read first time and referred to Committee on Education . . . . .	391
Reported back, ordered printed . . . . .	450
Read second time . . . . .	540
Read third time and made special order . . . . .	582
Read third time, special order continued . . . . .	606
Referred to author . . . . .	610
Recommitted to Committee on Education . . . . .	611
Reported back with amendments and ordered engrossed . . . . .	704
Read third time and passed . . . . .	738
Returned from House . . . . .	799
Reported by Committee on Enrolled Bills . . . . .	813
Signed by President . . . . .	813
Signed by Governor . . . . .	959

## 374. Introduced by SENATOR NEWBY—

"A bill for an act to make a compilation of the statutes of the State of Indiana, etc."

Read first time and referred to Committee on Judiciary . . . . .	392
Reported back . . . . .	1075

## No. 375. Introduced by SENATOR HAGGARD—

"A bill for an act for the payment of John H. Jack for military services rendered as Inspector-General of the State of Indiana."	Page.
Read first time and referred to Committee on Military Affairs . . . . .	392

## No. 376. Introduced by SENATOR DUNCAN—

"A bill for an act concerning statistics, providing for the performance of cert. in duties by County Auditors, etc."	
Read first time and referred to Committee on Public Health . . . . .	393
Reported back and indefinitely postponed . . . . .	648

## No. 377. Introduced by SENATOR DUNCAN—

"A bill for an act entitled an act providing for the establishment and administration of a free public library system, etc."	
Read first time and referred to Committee on Education . . . . .	393
Reported back and indefinitely postponed . . . . .	450

## No. 378. Introduced by SENATOR CRUMPACKER—

"A bill for an act concerning the compensation of Trustees of savings banks."	
Read first time and referred to Committee on Banks . . . . .	406
Reported back and ordered printed . . . . .	458

## No. 379. Introduced by SENATOR ELLISON—

"A bill for an act supplemental to existing laws for the drainage of wet lands, etc."	
Read first time and referred to Committee on Swamp Lands . . . . .	432
Reported back . . . . .	473
Read second time and ordered engrossed . . . . .	641
Read third time and passed . . . . .	739

## No. 380. Introduced by SENATOR BAK R—

"A bill for an act to repeal section 6, 7, 8, 9, 10, 11, 12, 13, and to amend sections 14 and 38 of an act concerning highways and Supervisors."	
Read first time and referred to Committee on Cities and Towns . . . . .	471

## No. 381. Introduced by SENATOR McMANUS—

"A bill for an act to amend section 5 of an act entitled an act to amend sections 1, 6, 19, 10 and 34 concerning highways and Supervisors."	
Read first time and referred to Committee on Roads . . . . .	471
Reported back and indefinitely postponed . . . . .	599

## No. 382. Introduced by SENATOR McDONALD—

"A bill for an act to amend the title and section 1 of an act entitled an act to authorize the organization and incorporation of loan, trust and safe deposit companies."	
Read first time and referred to Committee on Corporations . . . . .	472

## No. 383. Introduced by SENATOR SWEENEY—

"A bill for an act to define and punish frauds upon hotels, inns, boarding, eating, lodging houses and restaurants, etc."	
Read first time and referred to Committee on Cities and Towns . . . . .	486
Reported back . . . . .	816

## No. 384. Introduced by SENATOR SWEENEY—

"A bill for an act empowering the common councils of cities to authorize the construction of sewers, etc."	
Read first time and referred to Committee on Cities and Towns . . . . .	487
Reported back . . . . .	617



**No. 385. Introduced by SENATOR GOSTLIN—**

"An act to establish a Superior Court for the counties of Lake, Porter and LaPorte, etc."	Page.
Read first time and referred to Committee on Organization of Courts . . . .	487

**No. 386. Introduced by SENATOR ELLISON—**

"A bill for an act concerning pensions for disabled firemen and dependents of deceased firemen in cities, etc."	
Read first time and referred to Committee on Corporations . . . . .	487
Reported back and indefinitely postponed . . . . .	542

**No. 387. Introduced by SENATOR ELLISON—**

"A bill for an act relating to the construction and repair of bridges costing not to exceed seventy-five dollars, and repealing all laws in conflict herewith."	
Read first time and referred to Committee on County and Township Business.	488
Reported back . . . . .	709

**No. 388. Introduced by SENATOR ELLISON—**

"A bill for an act concerning public libraries, and declaring an emergency."	
Read first time and referred to Committee on Education . . . . .	488
Reported back . . . . .	1086

**No. 389. Introduced by SENATOR BECK—**

"A bill for an act concerning interest and usury."	
Read first time and referred to Committee on Agriculture . . . . .	488

**No. 390. Introduced by SENATOR ELLISON—**

"A bill for an act providing for the drainage of lands and the improvement of water courses, etc."	
Read first time and referred to Committee on Swamp Lands and Drains . .	488

**No. 391. Introduced by SENATOR BOORD—**

"A bill for an act to amend section 1 of an act to amend section number sixteen (16) of an act entitled an act concerning real property and the alienation thereof, etc."	
Read first time and referred to Committee on Judiciary . . . . .	489
Reported back and indefinitely postponed . . . . .	602

**No. 392. Introduced by SENATOR GOSTLIN—**

"A bill for an act to amend section 1 of an act approved March 1, 1893, entitled an act to authorize the Common Council of any city to issue, negotiate and sell bonds, etc., and declaring an emergency."	
Read first time and referred to Committee on Cities and Towns . . . . .	489
Reported back . . . . .	617
Read second time and ordered engrossed . . . . .	710
Read third time and passed . . . . .	743
Returned from House . . . . .	895
Reported by Committee on Engrossed Bills. . . . .	912
Signed by President . . . . .	912
Signed by Governor . . . . .	952, 1101

## No. 393. Introduced by SENATOR HOUGHTON—

"A bill for an act providing for the consolidation of street railway and electric lighting companies in the State of Indiana."	Page.
Read first time and referred to Committee on Corporations . . . . .	490
Reported back with substitute bill . . . . .	621
Read second time and made special order . . . . .	874
Substitute bill adopted . . . . .	917
Constitutional rules suspended . . . . .	918
Read third time and passed . . . . .	918
Returned from House . . . . .	961
Reported by Committee on Enrolled Bills . . . . .	1009
Signed by President . . . . .	1009
Signed by Governor . . . . .	1013

## No. 394. Introduced by SENATOR HUMPHREYS—

"A bill for an act to regulate the liability of common carriers, and to fix the burden of proof in case of loss or injury to property."	
Read first time and referred to Committee on Railroads . . . . .	490

## No. 395. Introduced by SENATOR McCORD—

"A bill for an act to repeal section 22 of an act entitled an act for the incorporation of insurance companies, defining their powers and prescribing their duties, etc."	
Read first time and referred to Committee on Insurance . . . . .	490
Reported back . . . . .	572
Read second time and ordered engrossed . . . . .	640
Read third time and passed . . . . .	714

## No. 396. Introduced by SENATOR McCUTCHAN—

"A bill for an act providing for the building of flood gates in ditches having an outlet in water courses, and which drains overflowed lands, and declaring an emergency."	
Read first time and referred to Committee on Swamp Lands and Drains . . .	490
Reported back . . . . .	764

## No. 397. Introduced by SENATOR McCUTCHAN—

"A bill for an act establishing a deaf and dumb school at Evansville, Indiana, and prescribing rules for the government of the same."	
Read first time and referred to Committee on Benevolent Institutions . . .	491
Reported back . . . . .	1007

## No. 398. Introduced by SENATOR McCUTCHAN—

"A bill for an act to amend section 236 of an act entitled an act concerning taxation, repealing all laws in conflict therewith, etc."	
Read first time and referred to Committee on Education . . . . .	491
Reported back . . . . .	645

## No. 399. Introduced by SENATOR McDONALD—

"A bill for an act to empower grand lodges of certain orders to take, hold and transfer shares of stock, etc."	
Read first time and referred to Committee on Judiciary . . . . .	491
Reported back . . . . .	608
Read second time and constitutional rules suspended . . . . .	697
Read third time and passed . . . . .	698
Returned from House . . . . .	1014
Reported by Committee on Enrolled Bills . . . . .	1012
Signed by President . . . . .	1013
Signed by Governor . . . . .	1061

## No. 400. Introduced by SENATOR PHARES—

"A bill for an act providing for the release of lands from ditch assessments in certain cases, and declaring an emergency."	
Read first time and referred to Committee on Swamp Lands and Drains . . .	Page. 491
Reported back and indefinitely postponed . . . . .	785

## No. 401. Introduced by SENATOR PHARES—

"A bill for an act to amend an act concerning elections, and providing penalties for the violation of the same."	
Read first time and referred to Committee on Public Printing . . . . .	492
Reported back . . . . .	1096

## No. 402. Introduced by SENATOR PHARES—

"A bill for an act supplemental to an act regulating the practice of medicine."	
Read first time and referred to Committee on Public Health, Vital and other Statistics . . . . .	492

## No. 403. Introduced by SENATOR SCHNECK—

"A bill for an act to regulate the sale of convict-made goods, wares and merchandise manufactured by convicts in other States."	
Read first time and referred to Committee on Mining and Manufacturing. . .	492
Reported back . . . . .	600
Read second time and ordered engrossed . . . . .	700
Read third time and passed . . . . .	816
Returned from House . . . . .	1043
Reported by Committee on Enrolled Bills . . . . .	1050
Signed by President . . . . .	1050

## No. 404. Introduced by SENATOR SELF (by request)—

"A bill for an act regulating the practice of medicine "	
Read first time and referred to Committee on Public Health . . . . .	492

## No. 405. Introduced by SENATOR SELLER—

"A bill for an act to further better regulate and restrict the sale of intoxicating liquors, etc."	
Read first time and referred to Committee on Temperance . . . . .	493

## No. 406. Introduced by SENATOR SELLER—

"A bill for an act providing for the election of County Surveyors and prescribing the duties thereof."	
Read first time and referred to Committee on Judiciary . . . . .	493
Reported back and indefinitely postponed . . . . .	760

## No. 407. Introduced by SENATOR SHIVELEY—

"A bill for an act to provide for a revision of the statutes relative to municipal corporations, etc."	
Read first time and referred to Committee on Cities and towns . . . . .	401
Reported back . . . . .	618

## No. 408. Introduced by SENATOR WISHARD—

"A bill for an act prescribing the duties of the several benevolent and penal institutions of the State."	
Read first time and referred to Committee on Benevolent Institutions . . . .	494
Withdrawn and recommended to Committee on Military Affairs . . . . .	718
Reported back and made special order . . . . .	776

## No. 409. Introduced by SENATOR WISHARD—

"A bill for an act requiring all contracts hereinafter to be made by the State of Indiana to be true to label, etc."	Page.
Read first time and referred to Committee on Labor . . . . .	495
Reported back . . . . .	1078

## No. 410 Introduced by SENATOR WISHARD—

"A bill for an act to amend section 6, and repealing section 3 of an act entitled an act to regulate the practice of dentistry."	
Read first time and referred to Committee on Public Health . . . . .	495
Reported back . . . . .	642
Read second time and ordered engrossed . . . . .	703
Read third time and failed to pass . . . . .	819

## No. 411. Introduced by SENATOR HAGGARD—

"A bill for an act to amend section 236 of an act concerning taxation."	
Read first time and referred to Committee on Finance . . . . .	502
Reported back . . . . .	507
Read second time and ordered engrossed . . . . .	688

## No. 412. Introduced by SENATOR LAFOLLETTE—

"A bill for an act to amend certain sections concerning highways."	
Read first time and referred to Committee on Roads . . . . .	502
Reported back . . . . .	599

## No. 413. Introduced by SENATOR SELF—

"A bill for an act fixing the times for holding court in the Third Judicial Circuit, etc."	
Read first time and referred to Committee on Organization of Courts . . . . .	502
Reported back . . . . .	573
Read second time and ordered engrossed . . . . .	639
Read third time and passed . . . . .	687
Returned from House . . . . .	992
Reported by Committee on Enrolled Bills . . . . .	1010
Signed by President . . . . .	1010
Signed by Governor . . . . .	1014

## No. 414. Introduced by SENATOR SELF (by request)—

"A bill for an act to amend section 108 of an act entitled an act to provide for a general system of common schools, etc."	
Read first time and referred to Committee on County and Township Business . . . . .	503
Reported back . . . . .	647

## No. 415. Introduced by SENATOR PHARES—

"A bill for an act to provide for the supervision of the construction and repair of public works and for the appointment of a superintendent of public works."	
Read first time and referred to Committee on County and Township Business . . . . .	503
Reported back and indefinitely postponed . . . . .	647

## No. 416. Introduced by SENATOR BOYD—

"A bill for an act making appropriations for the Indiana Institution for the Education of the Deaf and Dumb, and declaring an emergency."	
Read first time and referred to Committee on Benevolent Institutions . . . . .	508

## No. 417. Introduced by SENATOR BOYD—

"A bill for an act to reimburse Louis Haas in the sum of \$250 paid into the treasury by mistake, and declaring an emergency."	
Read first time and referred to Committee on Claims . . . . .	507

**No. 418. Introduced by SENATOR DUNCAN—**

"A bill for an act to repeal section 22 of an act entitled an act for the incorporation of insurance companies."	
Read first time and referred to Committee on Insurance . . . . .	Page. 507

**No. 419. Introduced by SENATOR DUNCAN—**

"A bill for an act to amend section 3 of an act entitled an act concerning grand and petit juries."	
Read first time and referred to Committee on Judiciary . . . . .	507
Reported back . . . . .	602
Read second time and ordered engrossed . . . . .	687
Read third time and passed . . . . .	727
Returned by House . . . . .	1034
Reported by Committee on Enrolled Bills . . . . .	1050
Signed by President . . . . .	1050

**No. 420. Introduced by SENATOR DUNCAN—**

"A bill for an act concerning insurance companies organized on what is known as the assessment plan, etc."	
Read first time and referred to Committee on Insurance . . . . .	508
Reported back with amendments . . . . .	614
Read second time and ordered engrossed. . . . .	913
Made special order . . . . .	925
Read third time and passed . . . . .	955
Returned from House . . . . .	1034
Reported by Committee on Enrolled Bills . . . . .	1050
Signed by President . . . . .	1050

**No. 421. Introduced by SENATOR KERN—**

"A bill for an act to amend section 1 of an act entitled an act authorizing persons having claims against the State of Indiana to bring suit therefor in the Superior Court of Marion County, Indiana."	
Read first time and referred to Committee on Judiciary . . . . .	503
Reported back with majority and minority reports . . . . .	641
Made special order . . . . .	872
Consideration resumed and constitutional rules suspended . . . . .	907
Read third time and passed . . . . .	908
Returned from House . . . . .	992
Reported by Committee on Enrolled Bills . . . . .	1010
Signed by President . . . . .	1010
Signed by Governor . . . . .	1051

**No. 422. Introduced by SENATOR MULL—**

"A bill for an act to amend section 2 of an act entitled an act to amend an act entitled an act making it unlawful to give, barter or sell tobacco to certain children, etc."	
Read first time and referred to Committee on Judiciary . . . . .	508
Reported back . . . . .	802
Read second time and ordered engrossed . . . . .	690
Read third time and passed . . . . .	808

**No. 423. Introduced by SENATOR SELF (by request)—**

"A bill for an act to amend section 3 of an act entitled an act to encourage the breeding of improved stock."	
Read first time and referred to Committee on Agriculture. . . . .	509

## No. 424. Introduced by SENATOR WATSON—

"A bill for an act concerning crimes and fixing the punishment for second and third convictions."	Page.
Read first time and referred to Committee on Judiciary . . . . .	519
Reported back and referred to author. . . . .	606
Read second time and ordered engrossed. . . . .	706

## No. 425. Introduced by SENATOR WATSON—

"A bill for an act concerning the release and return of the prisoners of the prisons; defining the duties of the clerks of the prisons and the Sheriffs of the several counties."	
Read first time and referred to Committee on Prisons . . . . .	518
Reported back . . . . .	575

## No. 426. Introduced by SENATOR RINEAR—

"A bill for an act to provide for the levy of a tax by Township Trustees of incorporated towns for a fund to compensate teachers for janitor work, etc."	
Read first time and referred to Committee on Finance. . . . .	519

## No. 427. Introduced by SENATOR KERN (by request)—

"A bill for an act to regulate the sale of groceries damaged by fire and water, and declaring an emergency."	
Read first time and referred to Committee on Public Health. . . . .	533

## No. 428. Introduced by SENATOR WRAY—

"A bill for an act to provide for the repairs and working of highways, etc."	
Read first time and referred to Committee on Roads. . . . .	537
Reported back . . . . .	599
Read third time and passed . . . . .	801

## No. 429. Introduced by SENATOR KERN—

"A bill for an act regulating the practice of dentistry, providing penalties, and repealing all laws in conflict herewith."	
Read first time and referred to Committee on Public Health. . . . .	539
Reported back and indefinitely postponed . . . . .	634

## No. 430. Introduced by SENATOR SCHNECK—

"A bill for an act to provide for an investigation of the causes of fires, etc."	
Read first time and referred to Committee on Insurance. . . . .	539
Reported back . . . . .	614

## No. 431. Introduced by SENATOR McCUTCHAN (by request)—

"A bill for an act entitled an act to provide for the publication of report of Board of Managers of Indiana for the Columbian Exposition, etc."	
Read first time and referred to Committee on World's Fair. . . . .	549
Substitute bill reported . . . . .	919

## No. 432. Introduced by SENATOR BAKER—

"A bill for an act to amend sections 2, 3 and 4 of an act entitled an act to amend sections 1, 3, 5 and 7 of an act entitled an act to establish City Courts, etc."	
Read first time and referred to Committee on Organization of Courts . . . . .	549
Reported back with amendment . . . . .	769

## No. 433. Introduced by SENATOR WRAY—

"A bill for an act to amend section 1 of an act approved February 26, 1891, entitled an act to amend section 6 and section 7 of an act entitled an act entitled an act prohibiting the obstruction of ditches and drains."		Page.
Read first time and referred to Committee on Swamp Lands . . . . .		549
Reported back . . . . .		761

## No. 434. Introduced by SENATOR PHARES—

"A bill for an act to amend sections 2 and 11 of an act entitled an act prohibiting the obstruction of ditches, etc."		
Read first time and referred to Committee on Swamp Lands. . . . .		550
Reported back and indefinitely postponed . . . . .		765

## No. 435. Introduced by SENATOR PHARES—

"A bill for an act to amend section 52 of the act for the incorporation of cities, etc."		
Read first time and referred to Committee on Cities and Towns . . . . .		550
Reported back . . . . .		617

## No. 436. Introduced by SENATOR PHARES—

"A bill for an act to establish a State Board of Embalmers and local boards under them."		
Read first time and referred to Committee on Public Health . . . . .		550

## No. 437. Introduced by SENATOR WISHARD—

"A bill for an act to amend section 1 of an act entitled an act to amend section 7 of an act for the incorporation of manufacturing and mining companies, etc."		
Read first time and referred to Committee on Corporations . . . . .		550
Reported back . . . . .		1082

## No. 438. Introduced by SENATOR CRANOR—

"A bill for an act fixing the time for holding court in the Forty-sixth Judicial Circuit of the State of Indiana."		
Read first time . . . . .		551
Constitutional rules suspended . . . . .		551
Read third time and passed . . . . .		552
Returned from House . . . . .		914
Reported by Committee on Enrolled Bills . . . . .		928
Signed by President . . . . .		929
Signed by Governor . . . . .		959

## No. 439. Introduced by SENATOR CRUMPACKER—

"A bill for an act to amend and repeal an act entitled an act on the subject of railroad crossings at grade, etc."		
Read first time and referred to Committee on Railroads . . . . .		552
Reported back . . . . .		600
Read second time, amended and ordered engrossed . . . . .		699
Read third time and passed . . . . .		801

## No. 440. Introduced by SENATOR DUNCAN—

"A bill for an act to provide free text-books in the common schools."		
Read first time and referred to Committee on Education . . . . .		553
Reported back . . . . .		1085

## No. 441. Introduced by SENATOR HOUGHTON (by request)—

"A bill for an act to provide janitors for common school houses and providing for their payment."		
Read first time and referred to Committee on Education . . . . .		553
Reported back and indefinitely postponed . . . . .		645

## No. 442. Introduced by SENATOR WISHARD—

"A bill for an act to amend section 2 and to repeal section 4 of an act entitled an act declaratory of the meaning of the word mining, etc."	Page.
Read first time and referred to Committee on Corporations . . . . .	554
Reported back . . . . .	1082

## No. 443. Introduced by SENATOR STUART—

"A bill for an act to appropriate money to pay the claims of John Brennan, etc."	
Read first time and referred to Committee on Claims . . . . .	554
Reported back . . . . .	775

## No. 444. Introduced by SENATOR McCORD—

"A bill for an act to amend section 1 of an act entitled an act to provide for the appropriation of real estate for cemetery purposes, approved March 9, 1899."	
Read first time and referred to Committee on Cities and Towns . . . . .	572
Reported back . . . . .	618
Read second time and ordered engrossed . . . . .	709
Read third time and passed . . . . .	748
Returned from House with amendments . . . . .	1014
Amendments concurred in . . . . .	1015
Reported by Committee on Enrolled Bills . . . . .	1050
Signed by President . . . . .	1050
Signed by Governor . . . . .	1101

## No. 445. Introduced by SENATOR NEWBY—

"A bill for an act providing for the appointment of a Board of Metropolitan Commissioners by the several commissioners of this State, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	580
Reported back with majority and minority reports . . . . .	662

## No. 446. Introduced by SENATOR HOLLER—

"A bill for an act for the preservation of forests."	
Read first time and referred to Committee on Agriculture . . . . .	570
Reported back . . . . .	634

## No. 447. Introduced by SENATOR O'BRIEN—

"A bill for an act fixing the time for holding the Circuit Courts in the thirty-sixth Judicial Circuit, and declaring an emergency."	
Read first time and referred to Committee on Organisation of Courts . . . . .	597
Reported back with majority and minority reports . . . . .	1363

## No. 448. Introduced by SENATOR COLLETT—

"A bill for an act to prevent the destruction of certain wild game between the first day of January and the first day of October of each year."	
Read first time and referred to Committee on Judiciary . . . . .	597
Reported back with amendment . . . . .	759

## No. 449. Introduced by SENATOR LaFOLLETTE—

"A bill for an act to amend section 3 of an act entitled an act to encourage the breeding of improved stock, etc., and declaring an emergency."	
Read first time and referred to Committee on Agriculture . . . . .	598
Reported back . . . . .	772

## No. 450. Introduced by SENATOR LaFOLLETTE—

"A bill for an act for the relief of John J. Moran, etc."	
Read first time and referred to Committee on Claims . . . . .	596



## No. 451. Introduced by SENATOR NEWBY (by request)—

"A bill for an act to provide for change of venue before Justices' Courts."	Page.
Read first time and referred to Committee on Judiciary . . . . .	598
Reported back . . . . .	761

## No. 452. Introduced by SENATOR SHIVELEY (by request)—

"A bill for a joint resolution for the appointing of a joint committee of the Senate and House to inquire into the advisability of adopting a voting machine to be used at all elections."	
Read first time and referred to Committee on Elections . . . . .	598

## No. 453. Introduced by SENATOR BAKER—

"A bill for an act to amend sections 1 and 2 of an act entitled an act empowering County Commissioners to appropriate money for the erection of soldiers' monuments."	
Read first time and referred to Committee on Military Affairs . . . . .	614
Reported back . . . . .	771

## No. 454. Introduced by SENATOR SELLER—

"A bill for an act to amend section 6 of an act approved March 10, 1875, the same being section 1410 of the Revised Statutes of 1881, the same being section 1476 of Burns' Revised Statutes of 1894."	
Read first time and referred to Committee on Judiciary . . . . .	633
Reported back . . . . .	758

## No. 455. Introduced by SENATOR KERN—

"A bill for an act concerning streets in platted additions to cities and towns."	
Read first time and referred to Committee on Cities and Towns . . . . .	633
Reported back . . . . .	801

## No. 456. Introduced by SENATOR WISHARD—

"A bill for an act to provide for the establishment of civil service based upon merit and fitness in connection with the employees of the penal, reformatory and benevolent institutions of the State of Indiana."	
Read first time and referred to Committee on Prisons . . . . .	633

## No. 457. Introduced by SENATOR WHITE—

"A bill for an act defining the Second and Third Judicial Circuits."	
Read first time and referred to Committee on Organization of Courts . . . . .	633
Majority and minority reports . . . . .	1082

## No. 458. Introduced by SENATOR HAGGARD—

"A bill for an act requiring the Custodian of Public Buildings and Property having care of the State Capitol to furnish rooms for the Department of Indiana, Grand Army of the Republic, etc."	
Read first time and referred to Committee on Military Affairs . . . . .	634
Reported back . . . . .	672

## No. 459. Introduced by SENATOR KERN (by request)—

"A bill for an act to repeal section 2137 of the Revised Statutes of 1881."	
Read first time and referred to Committee on Rights and Privileges . . . . .	634

## No. 460. Introduced by SENATOR KERN (by request)—

"A bill for an act to repeal section 2136 of the Revised Statutes of 1881."	
Read first time and referred to Committee on Rights and Privileges . . . . .	634

## No. 461. Introduced by SENATOR KERN (by request)—

"A bill for an act to amend section 1024 of the Revised Statutes of 1891."	Page-
Read first time and referred to Committee on Rights and Privileges . . . . .	634

## No. 462. Introduced by SENATOR KERN (by request)—

"A bill for an act to amend section 5325 of the Revised Statutes of 1891."	
Read first time and referred to Committee on Rights and Privileges . . . . .	635

## No. 463. Introduced by SENATOR STUART—

"A bill for an act to amend section 10 of an act entitled an act for the prevention of frauds and perjuries, etc."	
Read first time and referred to Committee on Judiciary . . . . .	643
Reported back and ordered printed . . . . .	762

## No. 461. Introduced by SENATOR BOZEMAN—

"A bill for an act concerning the Savings Assurance Society, and declaring an emergency."	
Read first time and referred to Committee on Banks . . . . .	644
Reported back and ordered printed . . . . .	777

## No. 465. Introduced by SENATOR BOORD—

"A bill for an act to change the name of Jacksonville, Fountain County, to Wallace."	
Read first time . . . . .	690
Constitutional rules suspended . . . . .	61
Read second time . . . . .	691
Read third time and passed . . . . .	691
Returned from House . . . . .	1014
House amendments concurred in . . . . .	1036
Reported by Committee on Enrolled Bills . . . . .	1050
Signed by President . . . . .	1070
Signed by Governor . . . . .	1056

## No. 466. Introduced by SENATOR RINEAR—

"A bill for an act fixing the time for holding courts in the Twenty-eighth Judicial Circuit, etc."	
Read first time and constitutional rules suspended . . . . .	699
Read second and third time and passed . . . . .	700
Returned from House . . . . .	914
Reported by Committee on Enrolled Bills . . . . .	923
Signed by President . . . . .	929
Signed by Governor . . . . .	959

## No. 467. Introduced by SENATOR VAIL—

"A bill for an act to divide the State into Congressional Districts, and repealing all laws and parts of laws in conflict therewith."	
Read first time and referred to Committee on Congressional Apportionment . . . . .	703

## No. 468. Introduced by SENATOR CRANOR—

"A bill for an act to amend section 3 of an act entitled an act providing for the regulation and supervision of foreign and domestic building, loan fund, savings or investment associations, etc."	
Read first time and referred to Committee on Corporations . . . . .	705
Reported back . . . . .	773

## No. 475. Introduced by SENATOR McLEAN—

"A bill for an act for the reorganization and government of cities having more than 30,000 and less than 35,000 population, etc."	
Read first time and referred to Committee on Cities and Towns . . . . .	731
Reported back . . . . .	780
Constitutional rules suspended . . . . .	860
Read second time . . . . .	860
Read third time and passed . . . . .	861
Reported by Committee on Enrolled Bills . . . . .	1099
Signed by President . . . . .	1099
Returned from the House . . . . .	1104

## No. 476. Introduced by SENATOR HOLLER—

"A bill for an act to amend article 13 of section 1, etc., relating to powers and privileges of cities."	
Read first time and referred to Committee on Temperance . . . . .	732

## No. 477. Introduced by SENATOR SWEENEY (by request)—

"A bill for an act prohibiting corporations and their agents and employes engaged in mining and manufacturing from engaging in mercantile pursuits in connection therewith, etc."	
Read first time and referred to Committee on Corporations . . . . .	732
Reported back . . . . .	1080

## No. 478. Introduced by SENATOR SWEENEY (by request)—

"A bill for an act to amend an act entitled an act appropriating moneys to pay amounts due members of the Indiana Legion, etc."	
Read first time and referred to Committee on Military Affairs. . . . .	732
Reported back . . . . .	792

## No. 479. Introduced by SENATOR WISHARD—

"A bill for an act concerning the election of School Commissioners in cities of one hundred thousand or more inhabitants, etc."	
Read first time and referred to Committee on Affairs of the City of Indianapolis. . . . .	735
Reported back and indefinitely postponed . . . . .	785

## No. 480. Introduced by SENATOR SHIVELEY—

"A bill for an act to provide for the government, management, control and general supervision of the Central Hospital for Insane, for the Northern Hospital for Insane, etc."	
Read first time and referred to Committee on Benevolent Institutions . . . . .	783
Reported back . . . . .	791
Made special order. . . . .	823
Read second time, amended and ordered engrossed and made special order . . . . .	844
Read third time and passed . . . . .	858
Returned from House . . . . .	926
Reported by Committee on Enrolled Bills . . . . .	942
Signed by President . . . . .	942
Signed by Governor . . . . .	1055

## No. 481. Introduced by SENATOR McCUTCHAN—

"A bill for an act granting to Boards of Public Works in cities the power to grant benevolent institutions rights and privileges, etc."	
Read first time and referred to Committee on Cities and Towns . . . . .	784
Reported back . . . . .	846

**No. 482. Introduced by SENATOR SWEENEY--**

"A bill for an act providing for the inspection of fertilisers."	Page.
Read first time and referred to Committee on Agriculture . . . . .	784

**No. 483. Introduced by SENATOR WATSON--**

"A bill for an act concerning cemeteries in cities and towns which have been vacated, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	784
Reported back . . . . .	1075

**No. 484. Introduced by SENATOR NEWBY (by request)--**

"A bill for an act to fix the salaries of the Judges of the Supreme Court, repealing all laws in conflict therewith, and declaring an emergency."	
Read first time and referred to Committee on Judiciary . . . . .	809
Reported back . . . . .	872
Read second time and constitutional rules suspended . . . . .	931
Read third time and passed . . . . .	931

**No. 485. Introduced by SENATOR SELF (by request)--**

"A bill for an act concerning water works and other matters connected therewith."	
Read first time and referred to Committee on Cities and Towns . . . . .	823

**No. 486. Introduced by SENATOR McCORD--**

"A bill for an act to establish and legalise the arms of the State of Indiana and to provide for the use thereof on the public seals and for the purchase of a seal of State."	
Read first time and ordered printed . . . . .	1040

## HOUSE BILLS IN SENATE.

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### No. 1. Introduced by MR. MERRITT—

"A bill for an act appropriating \$100,000 to defray the expenses of the 59th General Assembly, and declaring an emergency."		Page.
Received from House . . . . .		95
Read first time and referred to Committee on Finance . . . . .		95
Reported back . . . . .		107
Read second time, constitutional rule suspended . . . . .		107
Read third time and passed . . . . .		107
Returned to House . . . . .		135
Signed by the Governor . . . . .		139

### No. 4. Introduced by MR. MERRITT—

"A bill for an act to appropriate \$48,513.09 to pay the expense of the Indiana Legion."		
Read first time and referred to Committee on Military Affairs . . . . .		137
Reported back . . . . .		146
Constitutional rule suspended . . . . .		147
Read third time and passed . . . . .		148
Returned to House . . . . .		157

### No. 11. Introduced by MR. GRIFFIN—

"A bill for an act compelling railway companies to maintain suitable waiting-rooms."		
Read first time and referred to Committee on Railroads . . . . .		218
Reported back . . . . .		479
Read second time . . . . .		570
Read third time and passed . . . . .		805

### No. 16. Introduced by MR. ROSS—

"A bill for an act to incorporate the town of Albany, Delaware County."		
Read first time and referred to Committee on Fees and Salaries . . . . .		183

### No. 21. Introduced by MR. FOWLER—

"A bill for an act to legalize the corporation of the town of Crandall."		
Read first time and referred to Committee on Cities and Towns . . . . .		199
Reported back . . . . .		269
Read second time . . . . .		378
Read third time and passed . . . . .		432

### No. 25. Introduced by MR. SPITLER—

"A bill for an act to legalize the incorporation of the town of Wheatfield, in Jasper County, in the State of Indiana, etc."		
Read first time . . . . .		171
Constitutional rules suspended . . . . .		171
Read third time and passed . . . . .		172
Returned to the House. . . . .		181

## No. 47. Introduced by MR. MOORE—

"A bill for an act for the relief of James Fiske from unjust and double taxes."	Page.
Read first time and referred to Committee on Finance . . . . .	723
Reported back . . . . .	756, 1042

## No. 51. Introduced by MR. WILSON—

"A bill for an act defining the Fifth and Seventh Judicial Circuits of the State of Indiana."	
Read first time and referred to Committee on Organization of Courts . . . .	926
Reported back . . . . .	1094

## No. 57. Introduced by MR. MELENDY—

"A bill for an act for the reorganization of the Indiana militia."	
Read first time and referred to Committee on Military Affairs . . . . .	380
Reported back . . . . .	500
Read second time and amendments offered . . . . .	693, 694, 695
Read third time and passed . . . . .	737
Signed by President . . . . .	846

## No. 61. Introduced by MR. HOLLOWAY—

"A bill for an act to authorize the incorporation of companies for the purpose of constructing, operating and maintaining tobacco warehouses."	
Read first time and referred to Committee on Corporations . . . . .	218
Reported back . . . . .	341
Read second time . . . . .	690
Read third time and passed . . . . .	716
Signed by President . . . . .	747

## No. 64. Introduced by MR. GARRIOTT—

"A bill for an act fixing the terms of court in the Forty-second Judicial Circuit."	
Read first time and referred to Committee on Organization of Courts . . . . .	381
Reported back . . . . .	452
Constitutional rule suspended . . . . .	452
Read second and third times and passed . . . . .	452

## No. 65. Introduced by MR. LORING—

"A bill for an act authorizing County Commissioners to purchase toll roads."	
Read first time and referred to Committee on Roads . . . . .	625
Reported back . . . . .	771
Read second time and made special order . . . . .	849
Read third time and passed . . . . .	913
Signed by President . . . . .	982

## No. 66. Introduced by MR. HUNT—

"A bill for an act to amend section 16 of an act entitled an act to provide for the opening, vacating and change of highways."	
Read first time and referred to Committee on Roads . . . . .	243
Reported back . . . . .	348
Read second time . . . . .	379
Read third time and passed . . . . .	401
Motion to reconsider lost . . . . .	402
Signed by President . . . . .	500

## No. 101. Introduced by MR. PETTIT—

"A bill for an act to amend section 1 of an act entitled an act concerning the organization and perpetuity of voluntary associations."	Page.
Read first time and referred to Committee on Corporations . . . . .	248
Reported back . . . . .	455
Read second time . . . . .	639
Read third time and passed . . . . .	799
Signed by the President . . . . .	846

## No. 106. Introduced by MR. MERRITT—

"A bill for an act to provide for the publication of the reports and papers of the Indiana Academy of Science."	
Read first time and referred to Committee on Education . . . . .	737
Reported back . . . . .	820
Read second time, constitutional rule suspended . . . . .	1037
Substituted for Senate Bill No. 134 . . . . .	821
Read third time and passed . . . . .	1037
Signed by President . . . . .	1059

## No. 107. Introduced by MR. ROBINSON—

"A bill for an act to prevent fraudulent marriages."	
Read first time and referred to Committee on Judiciary . . . . .	214
Reported back . . . . .	347
Re-committed . . . . .	596
Returned to House, signed by President . . . . .	939

## No. 110. Introduced by MR. McGEATH—

"A bill for an act authorizing Boards of County Commissioners, where contracts for the construction of court houses have been let, etc., to issue and sell county bonds."	
Read first time and referred to Committee on Judiciary . . . . .	259
Reported back . . . . .	329
Read second time, constitutional rule suspended . . . . .	383
Read third time and passed . . . . .	383
Signed by President . . . . .	500

## No. 117. Introduced by MR. HUNDLEY—

"A bill for an act providing for the repeal of an act establishing the office of Natural Gas Supervisor."	
Read first time and referred to Committee on Natural Gas . . . . .	259
Reported back and indefinitely postponed . . . . .	600

## No. 124. Introduced by MR. MERRITT—

"A bill for an act to legalize the acts of Notaries Public."	
Read first time and referred to Committee on Judiciary . . . . .	128
Reported back . . . . .	213
Read second time . . . . .	378
Read third time and passed . . . . .	501
Signed by President . . . . .	578

## No. 125. Introduced by MR. MERRITT—

"A bill for an act concerning holidays."	
Read first time and referred to Committee on Finance . . . . .	564
Reported back . . . . .	619
Read second time . . . . .	698

## No. 156. Introduced by MR. NEWHOUSE—

"A bill for an act to fix the number of Senators and Representatives of the State of Indiana to the General Assembly, and repealing all laws in conflict therewith."		
Read first time and referred to Committee on Legislative Apportionment . . .		560
Reported back with majority and minority reports . . . . .		657
Made special order. . . . .		661
Read second time . . . . .		716
Read third time and passed . . . . .	725, 726	
Signed by the President . . . . .		790
Returned from House with Governor's veto . . . . .		866
Passed over Governor's veto . . . . .		866

## No. 157. Introduced by MR. NEWHOUSE—

"A bill for an act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana."		
Read first time and referred to Committee on Legislative Apportionment . .		560
Reported back with majority and minority reports . . . . .		659
Made special order. . . . .		661
Read second time . . . . .		716
Read third time and passed . . . . .		734
Signed by President . . . . .		800
Returned from House with Governor's veto . . . . .		861
Passed over Governor's veto. . . . .		865

## No. 163. Introduced by MR. HARRIS—

"A bill for an act entitled an act providing for instructions concerning the effects of narcotics and stimulants upon the human system."		
Read first time and referred to Committee on Education . . . . .		538
Reported back and Senate Bill No. 311 substituted. . . . .		646

## No. 164. Introduced by MR. HAMRICK—

"A bill for an act authorizing the organization and incorporation of mutual insurance companies."		
Read first time and referred to Committee on Insurance. . . . .		692
Reported back with amendments . . . . .		876

## No. 165. Introduced by MR. NICHOLSON—

"A bill for an act entitled an act to better regulate and restrict the sale of intoxicating and other liquors."		
Read first time and referred to Committee on Temperance . . . . .		715
Resolution concerning. . . . .		806
Made special order and report ordered . . . . .		844
Special order postponed . . . . .		849
Reported back with amendments . . . . .		906
Report and amendments ordered printed and made special order. . . . .		907
Read second time and amended . . . . .	934, 935, 936, 937, 938, 939	
Consideration resumed and bill amended . . . . .	966, 967, 968, 969, 970	
Constitutional rules suspended . . . . .		979
Read third time and passed . . . . .		971
Title amended . . . . .		972
House failed to concur and conference committee appointed . . . . .		991
Report of conference committee. . . . .		1034
Passed . . . . .		1035
Report of conference committee adopted by House . . . . .		1034
Signed by President . . . . .		1048
Resolutions concerning . . . . .		1106



**No. 167. Introduced by MR. DINWIDDIE—**

"A bill for an act concerning prize fighting."	Page.
Read first time and referred to Committee on Judiciary . . . . .	543
Reported back . . . . .	662
Read second time . . . . .	1037
Called up and held out of order. . . . .	1062
Message from Governor . . . . .	1072

**No. 171. Introduced by MR. VAN ARSDEL—**

"A bill for an act prescribing the powers and duties of Coroners."	
Read first time and referred to Committee on Judiciary . . . . .	983

**No. 184. Introduced by MR. REMINGTON—**

"A bill for an act concerning the cutting of hedge or other live fences along the lines dividing lands owned by different persons within the State of Indiana."	
Read first time and referred to Committee on Agriculture . . . . .	280
Read second time . . . . .	320
Read third time and passed . . . . .	710
Signed by President . . . . .	747

**No. 187. Introduced by MR. PETTIT—**

"A bill for an act amending section 190 of an act concerning public offenses and their punishment."	
Read first time and referred to Committee on Temperance . . . . .	983

**No. 197. Introduced by MR. ADAMS OF PARKE—**

"A bill for an act entitled an act making appropriations for salary of the Clerk of the Supreme Court and his deputies."	
Read first time and referred to Committee on Fees and Salaries . . . . .	381
Reported back . . . . .	393
Constitutional rules suspended, read third time and passed . . . . .	394
Signed by President . . . . .	469

**No. 216. Introduced by MR. CARDWILL—**

"A bill for an act authorizing cities in this State to erect water-works, to issue bonds, and secure the same by a mortgage upon such water-works property."	
Read first time and referred to Committee on Judiciary . . . . .	853
Reported back . . . . .	1075-1076

**No. 219. Introduced by MR. FOWLER—**

"A bill for an act concerning public offenses."	
Read first time and referred to Committee on Judiciary . . . . .	852
Made special order . . . . .	916
Reported back . . . . .	1075-1077

**No. 224. Introduced by MR. MCGREGOR—**

"A bill for an act to regulate the employment of women and children in manufacturing establishments."	
Read first time and referred to Committee on Judiciary . . . . .	846

**No. 230. Introduced by MR. ADAMS OF PARKE—**

"A bill for an act to amend sections 1, 12, 23, 24, 29 and 30 of an act concerning drains and dykes."	
Read first time and referred to Committee on Swamp Lands and Drains . . . . .	707
Reported back . . . . .	763
Made special order . . . . .	957
Read second time . . . . .	978
Read third time and passed . . . . .	978
Signed by President . . . . .	1059

## No. 232. Introduced by MR. McBETH—

"A bill for an act concerning mortgaged liens in proceedings to establish ditches or drains."	Page.
Read first time and referred to Committee on Judiciary . . . . .	915
Reported back . . . . .	1075

## No. 243. Introduced by MR. LONGWELL—

"A bill for an act to amend section 255 of an act concerning proceedings in civil cases."	
Read first time and referred to Committee on Judiciary . . . . .	898
Reported back . . . . .	1075, 1076

## No. 251. Introduced by MR. STOTSENBURG—

"A bill for an act to amend section 12 of an act entitled an act for the incorporation of building and loan associations."	
Read first time and referred to Committee on Corporations . . . . .	853
Reported back . . . . .	1061

## No. 259. Introduced by MR. TERHUNE—

"A bill for an act concerning and providing for the employment of employees of the House."	
Read first time and referred to Committee on Judiciary . . . . .	183
Read second time, constitutional rules suspended and read third time and passed . . . . .	209

## No. 261. Introduced by MR. BOARDMAN—

"A bill for an act to legalize the town of Broad Ripple, Marion County, Indiana."	
Read first time and referred to Committee on Cities and Towns . . . . .	382
Reported back . . . . .	476
Read second time . . . . .	690
Read third time and passed . . . . .	711
Signed by President . . . . .	747

## No. 265. Introduced by MR. LEEDY—

"A bill for an act to amend sections 38, 40, 45, 56, 73, 77, 82, 89, 90, 91, 97, 100, 110, 114, and 125 of an act entitled an act concerning the incorporation and government of cities of over 100,000 population."	
Read first time and referred to Committee on Affairs of the City of Indianapolis . . . . .	799
Made special order . . . . .	916, 949
Reported back with amendments . . . . .	985
Constitutional rules suspended . . . . .	987
Read second and third times and passed . . . . .	987
Title amended . . . . .	998
Signed by President . . . . .	1041

## No. 266. Introduced by MR. LEEDY—

"A bill for an act to legalize certain ordinances and proceedings of the city of Indianapolis."	
Read first time and referred to Committee on Affairs of the City of Indianapolis . . . . .	750
Reported back . . . . .	798
Made special order . . . . .	916, 949
Reported back and constitutional rules suspended . . . . .	998
Read second and third times and passed . . . . .	999
Signed by President . . . . .	1026

## No. 289. Introduced by MR. STUTESMAN—

"A bill for an act concerning libel in civil and criminal cases."	Page.
Read first time and referred to Committee on Judiciary. . . . .	685
Reported back . . . . .	787

## No. 282. Introduced by MR. HOLLOWAY—

"A bill for an act to amend sections 14, 17, 18, 23, 26, 31, 38, 47, 51, 52, 54, 55, 59, 60, 61, 63, 64, 73, 74, 77, 81, 85, 86, 87, 88, 89, 90, 91, 93, 94, 109, 115, 116, 122, 131 and 148 of an act entitled an act concerning the incorporations of cities having more than fifty thousand population."	
Read first time and referred to Committee on Cities and Towns . . . . .	532

## No. 285 Introduced by MR. McINTOSH—

"A bill for an act regulating descents and the apportionments of estates."	
Read first time and referred to Committee on Judiciary . . . . .	565
Reported back . . . . .	661
Read second time, constitutional rules suspended . . . . .	1038
Read third time and passed . . . . .	1039
Signed by President . . . . .	1059

## No. 289. Introduced by MR. BOBILYA—

"A bill for an act to amend section 5 of an act entitled an act concerning the purchase of toll roads."	
Read first time and referred to Committee on Roads . . . . .	565
Reported back . . . . .	663
Read second time, constitutional rules suspended . . . . .	923
Read third time and passed . . . . .	923
Signed by President . . . . .	943

## No. 291. Introduced by MR. LORING—

"A bill for an act to amend section 1 of an act relating to the employment of teachers by Township Trustees."	
Read first time and referred to Committee on Education . . . . .	723
Reported back and indefinitely postponed . . . . .	805

## No. 293. Introduced by MR. KELLY—

"A bill for an act to amend an act to provide a system of common schools."	
Read first time and referred to Committee on Education . . . . .	926
Reported back . . . . .	1064

## No. 298. Introduced by MR. FLOYD—

"A bill for an act authorizing the transfer of insane persons from the State prisons to the insane asylums of the State."	
Read first time and referred to Committee on Prisons . . . . .	853
Reported back . . . . .	960
Constitutional rules suspended . . . . .	960
Read third time and passed . . . . .	961
Signed by President . . . . .	981, 1010

## No. 305. Introduced by MR. HAMRICK—

"A bill for an act for farmers' and citizens' voluntary associations for the purpose of insuring live stock."	
Read first time and referred to Committee on Insurance . . . . .	737
Reported back . . . . .	1075

## No. 306. Introduced by MR. ELLIOTT—

"A bill for an act to legalise the incorporation of the town of Middletown, Indiana."	Page.
Read first time and referred to Committee on Cities and Towns . . . . .	382
Reported back . . . . .	478
Read second time . . . . .	570
Read third time and passed . . . . .	809
Signed by President . . . . .	846

## No. 310. Introduced by MR. HUNDLEY—

"A bill for an act legalising the incorporation of the town of Summitville, Indiana."	
Read first time and referred to Committee on Cities and Towns . . . . .	432
Reported back . . . . .	477
Read second time . . . . .	705

## No. 311. Introduced by MR. LEEDY—

"A bill for an act to amend sections 4, 5, 6, 7, 10 and 11 of an act entitled an act concerning the incorporation of cities of more than 100,000 population."	
Read first time and referred to Committee on Affairs of the City of Indianapolis . . . . .	896
Made special order . . . . .	916, 949
Reported back . . . . .	984
Read second time and constitutional rules suspended . . . . .	984
Read third time and passed . . . . .	984
Signed by President . . . . .	1026

## No. 312. Introduced by MR. LEEDY—

"A bill for an act to establish a Department of Public Parks in cities having more than 100,000 inhabitants."	
Read first time and referred to Committee on Affairs of the City of Indianapolis . . . . .	386
Reported back . . . . .	475
Read second time . . . . .	541
Read third time and passed . . . . .	588
Signed by President . . . . .	730

## No. 313. Introduced by MR. LEEDY—

"A bill for an act concerning money, goods or other property stolen, lost or abandoned coming into the possession of a member of the police force."	
Read first time and referred to Committee on Judiciary . . . . .	708
Made special order . . . . .	916, 949
Read second time and constitutional rules suspended . . . . .	980
Read third time and passed . . . . .	980
Signed by President . . . . .	1026
Reported back . . . . .	1075, 1077

## No. 316. Introduced by MR. VAN ARSDEL—

"A bill for an act concerning the incorporation of insurance companies."	
Read first time and referred to Committee on Insurance . . . . .	973

## No. 318. Introduced by MR. VAN ARSDEL—

"A bill for an act concerning highways."	
Read first time and referred to Committee on Judiciary . . . . .	723
Reported back . . . . .	1073-1075

## No. 344. Introduced by MR. WILLIS—

"A bill for an act to enlarge the powers of the Boards of Trustees of incorporated towns."	Page.
Read first time and referred to Committee on Cities and Towns . . . . .	974
Reported back . . . . .	1090

## No. 346. Introduced by MR. McINTOSH—

"A bill for an act to amend an act entitled an act to provide for a general system of common schools."
Read first time and referred to Committee on Judiciary . . . . .

## No. 348. Introduced by MR. REMINGTON—

"A bill for an act regulating the taxation of dogs."	
Read first time and referred to Committee on County and Township Business.	693
Reported back . . . . .	771
Read second time . . . . .	964

## No. 353. Introduced by MR. MERRITT—

<b>"A bill for an act providing for a Labor Commission."</b>	
<b>Read first time and referred to Committee on Labor . . . . .</b>	<b>1059</b>

## No. 360. Introduced by MR. VAN ARSDEL—

<b>"A bill for an act to provide for the election and qualification of Justices of the Peace in townships having one hundred thousand persons."</b>	
<b>Read first time and referred to Committee on Judiciary . . . . .</b>	<b>962</b>

## No. 364. Introduced by MR. McCREA—

<b>"A bill for an act to authorize Boards of County Commissioners to appropriate money in aid of special improvements in highways."</b>	
Read first time and referred to Committee on Judiciary . . . . .	926
Reported back . . . . .	1075

## No. 369. Introduced by MR. STAKEBAKE—

"A bill for an act to amend section 3 of an act entitled an act concerning proceedings in civil cases."	
Read first time and referred to Committee on Judiciary . . . . .	909
Reported back . . . . .	1075

## No. 381. Introduced by MR. McINTOSH—

"A bill for an act to provide funds for the benefit of the Indiana and Purdue Universities and the Indiana State Normal School."	
Read first time and referred to Committee on Education. . . . .	812
Reported back, substituted for Senate Bill No. 284. . . . .	821
Read second time . . . . .	849
Made special order. . . . .	871
Read third time and passed . . . . .	898
Signed by President . . . . .	939
Reported back . . . . .	1074

## No. 387. Introduced by MR. REMINGTON—

"A bill for an act regulating the canning of fruits."	
Read first time and referred to Committee on Agriculture. . . . .	896
Reported back . . . . .	1080

## No. 391. Introduced by MR. PETTIT—

“A bill for an act to amend an act entitled an act to amend section 111 of an act to provide for a general system of common schools.”		Page.
Read first time and referred to Committee on Education . . . . .		754
Reported back . . . . .		1085

## No. 393. Introduced by MR. PETTIT—

“A bill for an act concerning bailiffs of Circuit Courts.”		
Read first time and referred to Committee on Organization of Courts. . . . .		941
Reported back . . . . .		1088

## No. 394. Introduced by MR. HUNTER—

“A bill for an act to amend section 114 of an act entitled an act to provide for a general system of common schools.”		
Read first time and referred to Committee on Education . . . . .		909
Reported back . . . . .		1083

## No. 397. Introduced by MR. ROBINSON—

“A bill for an act to enable the Governor to more effectually discharge his constitutional duty.”		
Read first time and referred to Committee on Judiciary . . . . .		565
Reported back . . . . .		757
Read second time . . . . .		872
Message from Governor . . . . .		1072

## No. 398. Introduced by MR. SPITLER—

“A bill for an act to amend section 3 of an act to provide for the repair of free turnpike roads, etc.”		
Read first time and referred to Committee on Roads . . . . .		685
Reported back . . . . .		771

## No. 411. Introduced by MR. SMITH, OF TIPTON—

“A bill for an act for the relief of William H. Eaton, of Tipton County.”		
Read first time and referred to Committee on County and Township Business . . . . .		957
Reported back . . . . .		1096

## No. 424. Introduced by MR. GRIFFIN—

“A bill for an act to amend section 17 of an act concerning public offenses.”		
Read first time and referred to Committee on Judiciary . . . . .		895
Reported back . . . . .		1075, 1076

## No. 428. Introduced by MR. REYNOLDS—

“A bill for an act to amend section 2071 of the Revised Statutes of 1881 which regulates the sale of milk.”		
Read first time and referred to Committee on Judiciary . . . . .		948

## No. 431. Introduced by MR. O'BRIEN—

“A bill for an act to prevent the sale of impure miners' oils.”		
Read first time and referred to the Committee on Labor . . . . .		915
Reported back . . . . .		1079

## No. 432. Introduced by MR. ALLEN—

"A bill for an act levying a tax for the purpose of raising revenues for the general fund."	Page.
Read first time and referred to Committee on Finance. . . . .	834
Ordered printed . . . . .	834
Read second time, constitutional rules suspended . . . . .	979
Read third time and passed . . . . .	979
Title amended . . . . .	980
Signed by President . . . . .	1026

## No. 434. Introduced by MR. ROSS—

"A bill for an act to legalize the incorporation of the town of Eaton, Delaware County."	
Constitutional rules suspended and passed . . . . .	686
Read third time and passed . . . . .	686
Signed by President . . . . .	747

## No. 442. Introduced by MR. ROBINSON—

"A bill for an act defining the First and Eleventh Judicial Circuits and the Fifty-seventh Judicial Circuit, and providing for the election of Judge and Prosecuting Attorneys."	
Read first time and referred to Committee on Judiciary . . . . .	625
Reported back . . . . .	756
Read second time and made special order . . . . .	849
Read third time and passed . . . . .	913
Signed by President . . . . .	943

## No. 452. Introduced by MR. TERHUNE—

"A bill for an act to amend section 3 of an act entitled an act regulating foreign and domestic building, loan fund and saving associations, etc."	
Read first time and referred to Committee on Corporations . . . . .	956
Read second time . . . . .	1041

## No. 458. Introduced by MR. MCGREGOR—

"A bill for an act to amend section 57 of an act entitled an act concerning elections, etc."	
Read first time and referred to Committee on Elections . . . . .	940
Reported back and read second time . . . . .	1040

## No. 459. Introduced by MR. VAN ARSDEL—

"A bill for an act concerning public libraries."	
Read first time and referred to Committee on Affairs of the City of Indianapolis . . . . .	431
Reported back . . . . .	475
Read second time . . . . .	539
Read third time . . . . .	785
Failed to pass . . . . .	786
Made special order . . . . .	955
Called up and again failed to pass for lack of constitutional majority . . . .	961

## No. 472. Introduced by MR. DAVIS—

"A bill for an act to regulate the arrest and surrender of fugitives from justice from other States."	
Read first time and referred to Committee on Judiciary . . . . .	956
Reported back . . . . .	1075

## No. 521. Introduced by MR. MOORE—

"A bill for an act for alumnal representation on Boards of Trustees and other governing bodies of universities and educational institutes."		Page.
Read first time and referred to Committee on Education . . . . .		975
Read second time and constitutional rules suspended . . . . .		1090
Read third time and passed . . . . .		1090
Signed by President . . . . .		1059

## No. 525. Introduced by MR. ALLEN—

"A bill for an act authorizing the Governor, Auditor and Treasurer of State to issue and sell the bonds of the State for the purpose of providing for the payment of any part of the bonded debt of the State."		
Read first time and referred to Committee on Finance . . . . .		531
Reported back . . . . .		619
Read second time . . . . .		698
Read third time and passed . . . . .		798
Signed by President . . . . .		846

## No. 526. Introduced by MR. WILLIS—

"A bill for an act to regulate and prescribe the purity of manufacture and sale of drugs."		
Read first time and referred to Committee on Public Health . . . . .		992
Reported back . . . . .		1075

## No. 527. Introduced by MR. HARRISON—

"A bill for an act to encourage the breeding and improvement of trotting and pacing horses."		
Read first time and referred to Committee on Judiciary . . . . .		998

## No. 532. Introduced by MR. REMINGTON—

"A bill for an act requiring the cutting of weeds along the public highways."		
Read first time and referred to Committee on Agriculture . . . . .		999
Reported back . . . . .		1061

## No. 536. Introduced by MR. HAMRICK—

"A bill for an act concerning statistics, providing for the performance of certain duties of the Chief of Statistics, County Auditors and Township Assessors."		
Read first time and referred to Committee on Agriculture . . . . .		999
Reported back . . . . .		919
Read second time and constitutional rules suspended . . . . .		999
Read third time and passed . . . . .		999
Signed by President . . . . .		1026

## No. 548. Introduced by MR. VAN ARSDEL—

"A bill for an act to amend section 399 and to repeal sections 400 and 401 of an act concerning proceedings in civil cases."		
Read first time and referred to Committee on Judiciary . . . . .		975
Constitutional rules suspended . . . . .		1008
Read second time and third time and passed . . . . .		1009
Signed by President . . . . .		1026

## No. 559. Introduced by MR. SMITH, OF HUNTINGTON—

"A bill for an act prohibiting the Councils of cities from purchasing brick from any particular manufacturer for construction and repair of streets."		
Read first time and referred to Committee on Cities and Towns . . . . .		957
Reported back, majority and minority reports . . . . .		1022



## No. 567. Introduced by MR. HARRISON, OF SHELBY—

"A bill for an act compelling the owners of business buildings to provide and maintain water-closets, etc."	Page.
Read first time and referred to Committee on Cities and towns . . . . .	982

## No. 569. Introduced by MR. KAMP—

"A bill for an act providing for the building of flood gates in ditches, etc."	
Read first time and referred to Committee on Swamp Lands and Drains . . .	1014

## No. 578. Introduced by MR. O'BRIEN—

"A bill for an act to amend an act describing the duties of Common Councils in relation to requiring railroad companies to keep and maintain lights."	
Read first time and referred to Committee on Cities and Towns . . . . .	981
Reported back . . . . .	1091

## No. 583. Introduced by MR. STUTESMAN—

"A bill for an act to create a commission to locate important positions occupied by Indiana soldiers in the battles of Chickamauga, Lookout Mountain and Mission Ridge."	
Read first time and referred to Committee on Military Affairs . . . . .	835
Reported back . . . . .	855
Made special order . . . . .	916
Consideration resumed . . . . .	948
Read second time . . . . .	949
Made special order . . . . .	949
Read third time and passed . . . . .	976

## No. 587. Introduced by MR. McINTOSH—

"A bill for an act to abolish the Board of Commissioners of the State Soldiers' and Sailors' Monument and provide for a Board of Regents for said Monument."	
Read first time and referred to Committee on Soldiers' and Sailors' Monument	560
Reported back . . . . .	606
Constitutional rule not suspended . . . . .	606
Read second time . . . . .	638
Read third time and passed . . . . .	722
Signed by President . . . . .	800
Returned from House with Governor's veto . . . . .	899
Previous question ordered . . . . .	902
Passed over veto . . . . .	903

## No. 588. Introduced by MR. ALLEN—

"A bill for an act making appropriations for the State Government and its institutions."	
Read first time and referred to the Committee of the Whole; ordered printed.	834
Made special order . . . . .	871
Considered in Committee of the Whole . . . . .	912
Motion to go into the Committee of the Whole lost . . . . .	922
Considered in Committee of the Whole . . . . .	1011, 1012
Returned by Committee of the Whole with amendments . . . . .	1018
Constitutional rule suspended . . . . .	1024
Read third time and passed . . . . .	1024
House non-concurs in amendments and conference committee appointed. . .	1031
Report of conference committee concurred in by House . . . . .	1044
Report of conference committee concurred in by Senate . . . . .	1044
Passed . . . . .	1047
Signed by President . . . . .	1059

## No. 589. Introduced by MR. MELENDY—

"A bill for an act requiring railroad companies to put in intersecting switches."	Page.
Read first time and referred to Committee on Railroads . . . . .	941

## No. 591. Introduced by MR. CULBERT—

"A bill for an act providing for the release and return of prisoners from prisons."	
Read first time and referred to Committee on Elections . . . . .	967
Made special order . . . . .	915
Reported back and constitutional rules suspended . . . . .	959
Read third time and passed . . . . .	951
Signed by President . . . . .	981, 1010

## No. 615. Introduced by MR. REMY—

"A bill for an act to amend sections 1 and 2 of an act to provide for the taxation of building and loan associations."	
Read first time and referred to Committee on Corporations . . . . .	915
Reported back . . . . .	1062

## No. 616. Introduced by MR. MELENDY—

"A bill for an act appropriating the sum of one hundred dollars annually to the State Geologist to pay for the expenses of caring for the old flags."	
Read first time and referred to Committee on Finance . . . . .	983

## No. 617. Introduced by MR. STUTESMAN—

"A bill for an act to provide for civil service governing the benevolent institutions of the State of Indiana."	
Read first time and referred to Committee on Benevolent Institutions . . . .	957
Reported back . . . . .	1051

## No. 622. Introduced by MR. STUTESMAN—

"A bill for an act to divide the State of Indiana into Congressional districts."	
Read first time and referred to Committee on Congressional Apportionment . .	735
Reported back, with majority and minority reports . . . . .	792
Reports made special order and ordered printed . . . . .	794
Read second time and majority report adopted . . . . .	842
Amendments offered and made special order . . . . .	843
Read third time and passed . . . . .	854
Signed by President . . . . .	859
Returned from House with Governor's veto . . . . .	1017
Passed over Governor's veto . . . . .	1017

## No. 623. Introduced by MR. DAVIS—

"A bill for an act fixing the salaries of the Judges of Circuit and Superior Courts."	
Read first time and referred to Committee on Fees and Salaries . . . . .	952
Substituted for Senate Bill No. 471 . . . . .	908
Read second time . . . . .	913
Read third time and passed . . . . .	923
Signed by President . . . . .	943

## No. 624. Introduced by MR. BOHANNON—

"A bill for an act defining the Second and Third Judicial Circuits of the State of Indiana."	
Read first time and referred to Committee on Organization of Courts . . . .	889
Reported back and made special order . . . . .	940
Reported back and indefinitely postponed . . . . .	1002

## No. 628. Introduced by MR. ROBINSON—

"A bill for an act to correct the enrollment of an act fixing the compensation of county officers passed March 1, 1891."	Page.
Read first time and referred to Committee on Fees and Salaries . . . . .	754
Returned to House . . . . .	811
Returned from House and referred to Committee on Judiciary . . . . .	818
Notice of motion to reconsider . . . . .	1048
Motion to reconsider lost . . . . .	1104
Indefinitely postponed . . . . .	1038

## No. 629. Introduced by MR. ROBINSON—

"A bill for an act to prevent the changing or interfering with any bill or record of the General Assembly of the State of Indiana."	
Read first time and referred to Committee on Judiciary . . . . .	868
Reported back . . . . .	1075, 1077

## No. 630. Introduced by MR. LORING—

"A bill for an act to authorize Boards of County Commissioners to issue court house bonds."	
Read first time and referred to Committee on Judiciary . . . . .	751
Reported back with amendment . . . . .	904
Constitutional rules suspended . . . . .	1031
Read third time and passed . . . . .	1032
Title amended . . . . .	1032
Signed by President . . . . .	1059

## No. 631. Introduced by MR. THOMAS—

"A bill for an act to amend section 4 of an act concerning elections."	
Read first time and referred to Committee on Elections . . . . .	833
Reported back . . . . .	871

## No. 632. Introduced by MR. THOMAS—

"A bill for an act to amend sections 3, 5, 9, 11 and 13 of an act concerning elections."	
Read first time and referred to Committee on Elections . . . . .	897
Reported back . . . . .	1084

## No. 636. Introduced by MR. VAN ARSDEL—

"A bill for an act concerning the election of School Commissioners in cities of 100,000 inhabitants and more."	
Read first time and referred to Committee on Affairs of the City of Indianapolis . . . . .	751
Reported back . . . . .	766

## No. 637. Introduced by MR. LEEDY—

"A bill for an act fixing the salaries of Judges of Criminal Courts."	
Read first time and referred to Committee on Affairs of the City of Indianapolis . . . . .	740
Reported back . . . . .	766
Constitutional rules suspended . . . . .	787
Read third time and passed . . . . .	787
Signed by President . . . . .	981, 1010

## No. 638. Introduced by MR. HOWE—

"A bill for an act to amend section 1 of an act for the protection of birds."	
Read first time and referred to Committee on Judiciary . . . . .	867
Reported back . . . . .	1074, 1075

## No. 639. Introduced by MR. VAN ARSDEL—

	Page.
"A bill for an act fixing the compensation for State and county officers."	
Read first time and referred to Committee on Fees and Salaries. . . . .	817
Reported back with amendments . . . . .	826
Constitutional rules suspended . . . . .	829
Read second time . . . . .	830
Amended . . . . . 830, 831, 832, 833, 834	835
Read third time and passed . . . . .	835
Returned from House, amendments not concurred in . . . . .	909
Conference committee appointed . . . . .	925
Report of conference committee . . . . .	953
Committee report adopted . . . . .	954
Signed by President . . . . .	977
Certified copy returned from House. . . . .	977

## No. 642. Introduced by MR. HAMRICK—

"A bill for an act to place the busts of William Henry Harrison and Oliver P. Morton in the National Capital."	
Read first time and referred to Committee on Military Affairs . . . . .	812
Reported back . . . . .	953
Read second time and amended. . . . .	953

## No. 645. Introduced by MR. BOBILYA—

"A bill for an act to amend section 63 concerning the incorporation and government of cities having more than 35,000 and less than 49,000 inhabitants."	
Read first time and referred to Committee on Cities and Towns. . . . .	973

## No. 646. Introduced by MR. GIBSON—

"A bill for an act authorizing cities in the State having a population of more than 2,000 and less than 2,200 to grant and convey any public land."	
Read first time and referred to Committee on Cities and Towns. . . . .	970
Reported back . . . . .	921
Constitutional rules suspended . . . . .	921
Read third time and passed . . . . .	922
Signed by President . . . . .	946

## No. 647. Introduced by MR. MOORE—

"A bill for an act to amend sections 1 and 3 of an act providing for a general system of common schools."	
Read first time and referred to Committee on Education . . . . .	966

## No. 648. Introduced by MR. MCGREGOR—

"A bill for an act to amend section 1 of an act requiring all persons and incorporations desiring to incorporate to file with the Secretary of State a duplicate copy of their articles of incorporation."	
Read first time and referred to Committee on Corporations . . . . .	982
Reported back and constitutional rules suspended. . . . .	1041
Read second and third times and passed . . . . .	1041
Signed by President. . . . .	1049

## No. 651. Introduced by MR. SPITLER—

"A bill for an act to legalize the incorporation of the town of Brook, in Newton County, Indiana."		Page.
Read first time and referred to Committee on Cities and Towns. . . . .		869
Reported back . . . . .		874
Reported back . . . . .		1033
Constitutional rules suspended . . . . .		1033
Read second and third times and passed . . . . .		1033
Signed by President . . . . .		1059

## No. 653. Introduced by MR. COATES—

"A bill for an act defining the First and Eleventh Judicial Circuits of the State of Indiana."		
Read first time and referred to Committee on Organization of Courts . . . . .		1043

# SENATE JOINT RESOLUTIONS.

## No. 1. Introduced by SENATOR O'BRIEN—

"A joint resolution to amend section two (2) of article seven (7) of the Constitution of the State of Indiana."	Page.
Read first time and referred to Committee on Revision of Constitution . . .	106
Reported back . . . . .	217
Ordered engrossed . . . . .	539
Referred back to Committee and made special order. . . . .	813
Reported back with amendments . . . . .	836
Read third time and passed . . . . .	941
Returned from House . . . . .	1070
Reported by Committee on Enrolled Bills . . . . .	1089
Signed by President . . . . .	1099

## No. 2. Introduced by SENATOR DUNCAN—

"A joint resolution concerning the return of battle flag captured by Captain Robert R. Stewart."	
Read first time and referred to Committee on Military Affairs. . . . .	16
Failed to pass for lack of constitutional majority . . . . .	76

## No. 3. Introduced by SENATOR SHIVELEY—

"Resolved, That the following be added to Joint Rule No. 17: "And also refer to the like section as contained in Burns' Revised Statutes of 1894."	
Read first time . . . . .	163
Adopted . . . . .	165

## No. 4. Introduced by SENATOR KERN (by request)—

"A joint resolution proposing an amendment to section 1 of article 16 of the Constitution of the State of Indiana."	
Read first time and referred to Committee on Revision of the Constitution. .	202
Reported back and indefinitely postponed . . . . .	753

## No. 5. Introduced by SENATOR HOLLER—

"A joint resolution resolving that three hold-over Senators be appointed as a commission to correspond with different authorities of the different States that are now using convict labor, and learn the manner in which convicts are being used and the success obtained in employing them, and report at the next session of the General Assembly."	
Read first time and referred to Committee on Prisons . . . . .	635
Reported back . . . . .	821

## No. 6. Introduced by SENATOR ELLISON—

"A joint resolution to appoint three commissioners to investigate the regulation of building and loan associations."	
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# SENATE CONCURRENT RESOLUTIONS.

## No. 1. Introduced by SENATOR BOYD—

"A concurrent resolution appointing a committee of three Senators, to act with a like committee from the House, to wait upon the Governor and inform him of the organization of both houses."	Page,
Introduced and adopted . . . . .	11
Reported back from House . . . . .	12

## No. 2. Introduced by SENATOR WRAY—

"A concurrent resolution appointing a committee of three, to act with a like committee of the House, to prepare rules."	
Introduced . . . . .	16
Made a special order . . . . .	16
Adopted . . . . .	20
Returned from House . . . . .	1105

## No. 3. Introduced by SENATOR HAGGARD—

"A concurrent resolution to appoint a committee to investigate the books and accounts of certain offices."	
Introduced . . . . .	23
Amended . . . . .	25
Made special order . . . . .	25
Ordered printed . . . . .	25

## No. 4. Introduced by SENATOR BIRD—

"A concurrent resolution that five thousand copies of the Governor's message be printed, and one thousand copies be folded in wrappers and laid in proportion to Senators on their desks."	
Introduced and adopted . . . . .	78

## No. 5. Introduced by SENATOR WISHARD—

"A concurrent resolution that the Secretary of the Senate be directed to cause to be printed two hundred copies of the rules as adopted by the Senate, in pamphlet form, in the same manner as heretofore printed, and that five copies of the same be bound in morocco leather, with the name of each Senator thereon."	
Introduced and adopted . . . . .	76

## No. 6. Introduced by SENATOR BOORD—

"A concurrent resolution that the President appoint a Committee on Mileage of three members."	
Introduced and adopted . . . . .	15

## No. 7. Introduced by SENATOR CRANOR—

"A concurrent resolution instructing the Secretary to purchase Revised Statutes, and place the same on Senators' desks."	
Introduced and adopted . . . . .	9

## No. 8. Introduced by SENATOR NEWBY—

"A concurrent resolution that the papers of the contest of Adam Foust for a seat in the Senate, from the Senatorial District composed of Huntington and Wells counties, be referred to the Committee on Elections, and that they be instructed to report not later than the 1st day of February, 1895." Page.

Introduced and adopted . . . . . 19

## No. 9. Introduced by SENATOR SHIVELEY—

"A concurrent resolution concerning the purchase of Revised Statutes" Introduced and ruled out of order . . . . . 105

## No. 10. Introduced by SENATOR KERN—

"A concurrent resolution concerning the Secretary of the Senate." Introduced and laid on table . . . . . 105

## No. 11. Introduced by SENATOR SHIVELEY—

"A concurrent resolution directing the Secretary of the Senate to purchase twenty-eight sets of Burns' Revised Statutes of 1894." Introduced . . . . . 109  
 Ruled out of order . . . . . 110  
 Appealed to Senate and appeal sustained . . . . . 110  
 Previous question ordered . . . . . 111  
 Adopted . . . . . 112

## No. 12. Introduced by SENATOR HUMPHREYS—

"A concurrent resolution relative to the election of United States Senators by a direct vote of the people." Introduced and referred to Committee on Federal Relations . . . . . 113  
 Reported back . . . . . 113  
 Adopted . . . . . 113

## No. 13. Introduced by SENATOR McCUTCHAN—

"A concurrent resolution pertaining to the place of meeting of committees." Introduced and adopted . . . . . 115

## No. 14. Introduced by SENATOR SELLER—

"A concurrent resolution pertaining to committee reports." Introduced and adopted. . . . . 116

## No. 15. Introduced by SENATOR ALEXANDER—

"A concurrent resolution authorizing the Committee on Fees and Salaries to send for witnesses and papers." Introduced and referred to Committee on Fees and Salaries . . . . . 117  
 Postponed subject to call of committee . . . . . 117

## No. 16. Introduced by SENATOR SELLER—

"A concurrent resolution pertaining to the revision of the statutes of the State." Introduced and adopted. . . . . 117  
 Reported back with majority and minority reports and indefinitely postponed . . . . . 118

## No. 17. Introduced by SENATOR CRUMPACKER—

"A concurrent resolution pertaining to returning a battle flag to the President of the Veteran Association of Indiana Infantry." Introduced and adopted. . . . . 44



## No. 18. Introduced by SENATOR HOLLER—

"A concurrent resolution concerning a report of the Auditor of State in regard to Swamp Land Fund."		Page.
Introduced and adopted. . . . .		486
Reported back . . . . .		518
Adopted . . . . .		680
Returned from the House . . . . .		737
Report of Committee on Enrolled Bills . . . . .		783
Signed by President . . . . .		783
Signed by Governor . . . . .		822

## No. 19. Introduced by SENATOR STUART—

"A concurrent resolution concerning a committee of five to escort the remains of Ex-Governor Gray from the city of Indianapolis to Union City, Indiana."		
Introduced and adopted. . . . .		589

## No. 20. Introduced by SENATOR DUNCAN—

"A concurrent resolution appointing Hon. R. S. Hatcher a special commissioner to investigate the matter of the Indiana State seal."		
Introduced and referred to Committee on Education . . . . .		529
Reported back . . . . .		620
Returned by House . . . . .		686
Reported by Committee on Enrolled Bills . . . . .		729
Signed by President . . . . .		729
Signed by Governor . . . . .		742
Report of Commissioner. . . . .		993

## No. 21. Introduced by SENATOR SHIVELEY—

"A concurrent resolution concerning the appointment of a commission by the Governor to investigate the advisability of holding a State exposition in the year 1900."		
Introduced and referred to Committee on Rights and Privileges . . . . .		904
Reported back and adopted . . . . .		922
Reported by Committee on Enrolled Bills . . . . .		1050
Returned from House . . . . .		1035
Signed by Governor . . . . .		1056

## No. 22. Introduced by SENATOR CRANOR—

"A concurrent resolution in regard to the appointment of a committee from the Senate to meet a like committee from the House to confer in regard to the fee and salary bill."		
Introduced and adopted . . . . .		925
Returned from House . . . . .		940

## No. 23. Introduced by SENATOR BOYD—

"A concurrent resolution accepting fifty sets of Myers' Annotated Revised Statutes of 1895."		
Introduced and referred to Committee on Finance. . . . .		924
Reported back . . . . .		1054
Reports laid on table . . . . .		1055

## No. 24. Introduced by SENATOR HAGGARD—

"A concurrent resolution requiring the Custodian of the State House to furnish rooms for headquarters for the G. A. R."		
Introduced . . . . .		1051
Adopted . . . . .		1052

## No. 25. Introduced by SENATOR ELLISON—

"A concurrent resolution in regard to building and loan associations."	Page.
Introduced and adopted . . . . .	1053
Signed by Governor . . . . .	1191
Returned from House . . . . .	1195
Reported by Committee on Enrolled Bills . . . . .	1196
Signed by President . . . . .	1196

## No. 26. Introduced by SENATOR PHARES—

"A concurrent resolution in regard to the World's Fair Commissioners."	
Introduced . . . . .	1053
Adopted . . . . .	1054
Withdrawn from House . . . . .	1064
Reconsidered, amended and adopted . . . . .	1097
Returned from House with amendment . . . . .	1101
Amendment concurred in . . . . .	1102
Report Committee on Enrolled Bills . . . . .	1107
Signed by President . . . . .	1107

## No. 27. Introduced by SENATOR HOLLER—

"A concurrent resolution to give the Governor the right to appoint three hold-over Senators to be a commission to look after convict labor."	
Introduced and adopted . . . . .	1056
Returned from House . . . . .	1105

## No. 28. Introduced by SENATOR SCHNECK—

"A concurrent resolution directing the President of the Senate to appoint a committee of three hold-over Senators to look after the advisability of a third reformatory prison."	
Introduced and adopted . . . . .	1057

## No. 29. Introduced by SENATOR COLLETT—

"A concurrent resolution empowering the Superintendents of the Central Indiana Hospital for the Insane, the Northern Indiana Hospital for the Insane, the Eastern Indiana Hospital for the Insane, the Southern Indiana Hospital for the Insane, the Institution for the Education of the Blind, the Institution of the Deaf and Dumb, etc."	
Introduced . . . . .	1057
Adopted . . . . .	1058

## No. 30. Introduced by SENATOR KERN—

"A concurrent resolution to give the \$2,000 turned in to the State Treasury by the World's Fair Commissioners for the purpose of purchasing a silver set for the battleship Indiana."	
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## HOUSE JOINT RESOLUTIONS.

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### No. 1. Introduced by MR. DINWIDDIE—

"A joint resolution to amend section 2 of article 2 of the Constitution of the State of Indiana."	Page.
Read first time and referred to Committee on Revision of Constitution. . . .	544
Reported back . . . . .	751
Motion to make special order . . . . .	824
Failed to pass . . . . .	1058

### No. 3. Introduced by MR. CARDWILL—

"A joint resolution to amend section 13 of article 2 of the Constitution of the State of Indiana."	
Read first time and referred to Committee on Revision of Constitution. . . .	544
Reported back . . . . .	752
Failed to pass . . . . .	752
Read and adopted . . . . .	1060
Signed by President . . . . .	1107

### No. 5. Introduced by MR. STAKEBAKE—

"A joint resolution to amend section 22 of article 4 of the Constitution of the State of Indiana."	
Read first time and referred to Committee on Revision of Constitution. . . .	545
Reported back . . . . .	777
Certified copy received from House . . . . .	914

## HOUSE CONCURRENT RESOLUTIONS.

### No. 4. Introduced by MR. LEEDY—

"A concurrent resolution concerning the investigation of the Attorney-General's office and the condition of the State Treasury."	Page. 271
Read first time and referred to Committee on Fees and Salaries . . . . .	

### No. 5. Introduced by MR. PETTIT—

"A concurrent resolution concerning the holding of a joint session of both houses for the purpose of electing a State Librarian."	
Received from House and adopted . . . . .	
	355

### No. 6. Introduced by MR. REMY—

"A concurrent resolution concerning a thorough investigation of the Southern Indiana Hospital for the Insane."	
Received from House and adopted . . . . .	
Report of committee concurred in by House . . . . .	
	355 1070

### No. 7. Introduced by MR. STOTSENBURG—

"A concurrent resolution to the National Assembly to urge the passage of a bill restricting the power of Federal Courts in the matter of railroads."	
Read first time and referred to Committee on Judiciary . . . . .	
Reported back . . . . .	
	538 662

### No. 8. Introduced by MR. THOMAS—

"A concurrent resolution for a commission, consisting of the Governor and two others, to procure plans for a statue of General Hackleman."	
Read first time and referred to Committee on Military Affairs . . . . .	
Reported back and adopted . . . . .	
	546 932

### No. 10. Introduced by MR. LEEDY—

"A concurrent resolution that the State select Governor James Whitcomb as the fourth statue for Monument Place, representing the Mexican war."	
Read first time and referred to Committee on Military Affairs . . . . .	
Reported back . . . . .	
	786 809

### No. 11. Introduced by MR. LEEDY—

"A concurrent resolution in regard to the sale of land belonging to the State by the Trustees of the Deaf and Dumb Asylum."	
Read first time and referred to Committee on Affairs of the City of Indianapolis . . . . .	
Amended . . . . .	
Adopted . . . . .	
	992 1049 1050

### No. 12. Introduced by MR. MCGREGOR—

"A concurrent resolution in regard to Julius R. Frederick."	
Received and adopted . . . . .	
	1103

### No. 13. Introduced by MR. HAMRICK—

"A concurrent resolution requiring the Custodian of the State House to furnish rooms for the Oil Inspector."	
Received from House . . . . .	
	1104

## BETHELL, WILLIAM J.—

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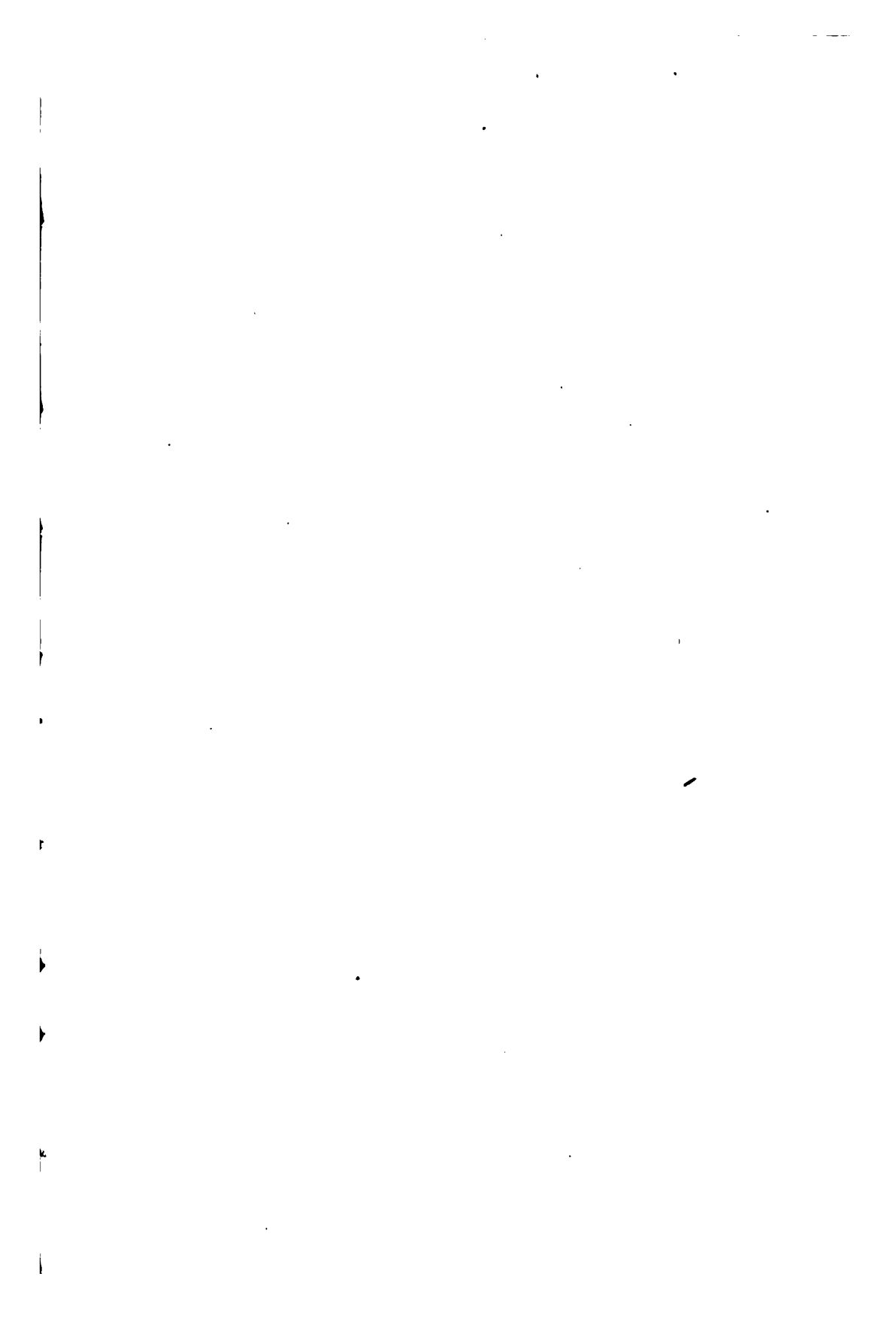
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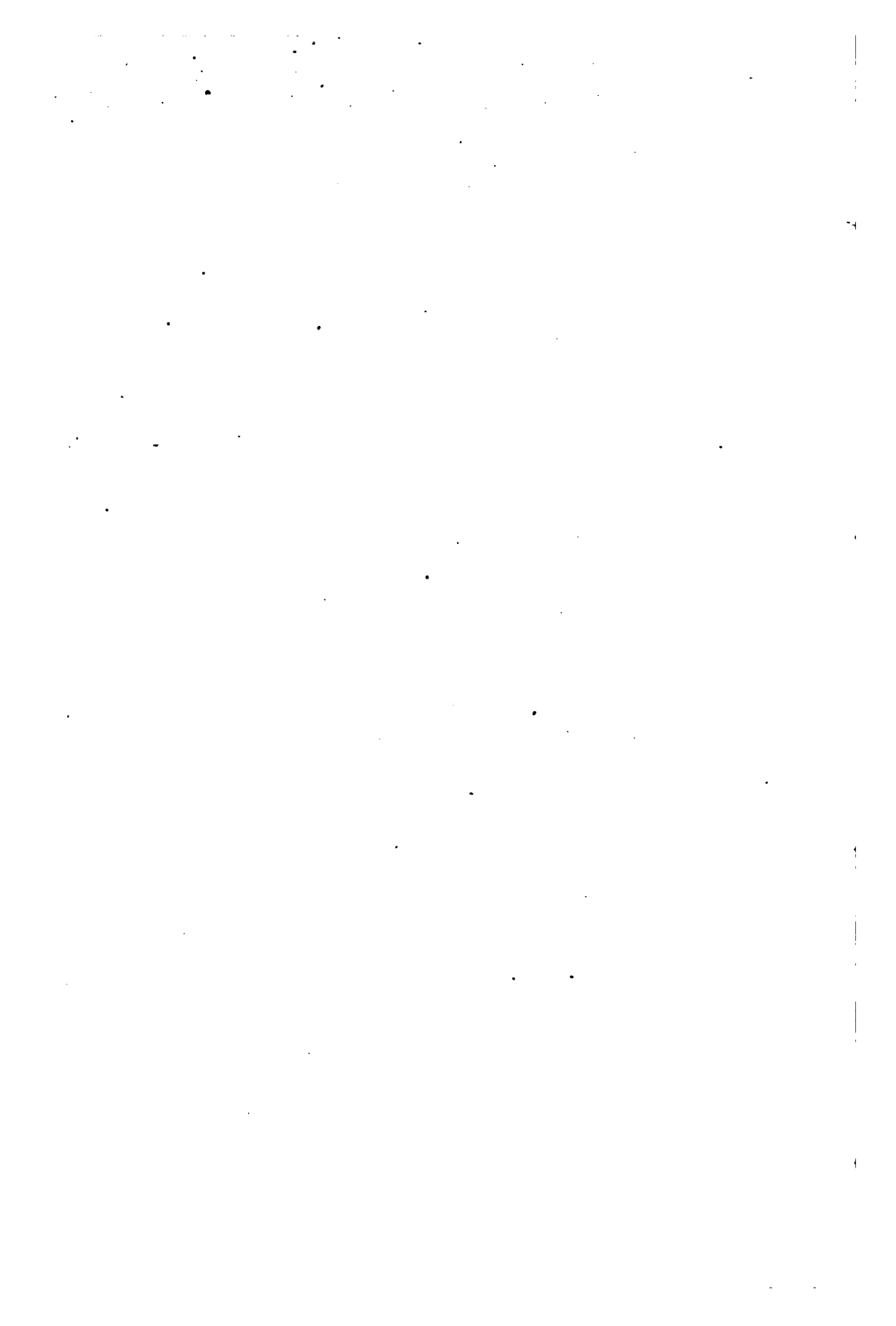


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